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PART I.

TREATIES, ENGAGEMENTS, AND SANADS

relating to

TURKISH ARABIA.

THE relations of the British Resident in Turkish Arabia with the local Turkish authorities are regulated more by the requirements of European than of Indian diplomacy, and by the obligations recorded in the treaties between Great Britain and Turkey, of which those most commonly referred to are included among the appendices to this volume. * But in connection with the early trade in the Persian Gulf, direct intercourse was for many years maintained with the governors of Turkish Arabia without much consideration of their relation to Constantinople. In the year 1639 there seems to have been an English factory at Basrah (Bussorah) subordinate to the factory at Gamrun, and protected by farmans. In 1728 Mr. French, the Agent at Basrah, obtained a farman conferring on the Agent power to try the servants of the factory who were guilty of crime, and providing for the adjustment of claims on the people of the country; and in 1731 he obtained another farman, fixing 3 per cent. as the duty to be taken on English goods at the port of Basrah. But the first farman on record is one granted in 1759 (No. I) by the Pasha. The factory at Basrah was never recognised by the Sublime Porte till 1764, in which year the Ambassador at Constantinople, with much difficulty, obtained a consulary Barat (No. I) as the only efficacious means of protecting English commerce and the property of English subjects at Basrah.

In 1765 it was proposed to appoint an Agent permanently at Baghdad, but the proposal was disapproved by the Court of Directors. In 1783, however, a Native Agent was appointed, and in 1798 a Resident, whose chief duty was to transmit intelligence overland between India and England, and to watch and report on the proceedings of the French emissaries in connection with Napoleon's projected invasions of India by way of Egypt and the Red Sea. In 1802, on the death of Sulaiman Pasha, who had governed Baghdad for twenty years, and the appointment of his son-in-law Ali Pasha to succeed

* *See* Appendices Nos. I & II.

him, Lord Elgin, His Majesty's Ambassador at Constantinople, took the opportunity to procure a consulary Barat (No. III) for the Resident at Baghdad, whose appointment had till then never been sanctioned by the Sultan.

On the rupture between England and Turkey in 1807, Sulaiman Pasha, who had succeeded to the government of Baghdad on the murder of his uncle, Ali Pasha, took the Residents at Basrah and Baghdad under his protection and persuaded them not to withdraw from the country. But after the conclusion of the Peace of the Dardanelles in 1809 he, for unexplained reasons, committed himself to a series of indignities and insults towards the Resident at Baghdad, which compelled the latter to withdraw. Friendly intercourse was not renewed till, on the remonstrance of the Bombay Government, the Pasha, on the 25th January 1810, subscribed to certain conditions (No. IV) binding himself never to interfere in the affairs of the Residency and to restore the former privileges of the Resident.

The Baghdad and Basrah Residencies were amalgamated in 1810; and in 1812 the designation of Resident was changed to that of Political Agent in Turkish Arabia. Two decrees were obtained from the Pasha in 1812, one (No. V) for preventing the desertion of sailors and workmen from British ships at Basrah, and the other (No. VI) for the restoration of natives of India carried off to Basrah as slaves.

Sulaiman Pasha was deposed from office by order from Constantinople. Refusing to obey, he was defeated in battle and killed on the 5th October 1810. His successor, Abdulla Pasha, was put to death by the Muntafik Arabs in 1813, and Said Beg was proclaimed Pasha. On receiving an order from Constantinople deposing him from office, he rebelled, but was defeated and put to death, and was succeeded in the government by Daud Effendi. The conduct of this Pasha towards the Political Agent was so insulting and overbearing that it became impossible to land goods at Basrah, or to recover debts from native dealers, without an unseemly quarrel. In 1821 he besieged the Residency. He afterwards removed the restrictions on the movements of the Political Agent and permitted him to withdraw from the country. The establishments at Basrah were also withdrawn. Friendly relations with the Pasha were broken off, and were not renewed till he agreed (No. VII) to restore the former tariff, to repay all that he had levied in excess of it, as well as the value of all goods injured or destroyed, and to treat future Agents of the British Government and all travellers with respect.

On the 12th June 1831 Daud Pasha was removed from office and Haji Raza (Radha) Pasha was appointed in his stead. On his accession he issued a Buyurldi or Order (No. VIII), confirming the privileges enjoyed by

British subjects. In 1834 a scheme was formed for overland communication between India and England by the Persian Gulf and Turkish Arabia. Two steamers were sent out from England to open up the route and navigate the Euphrates. A Farman (No. IX) was granted by the Sultan of Turkey in 1834 for the protection of the steamers. In addition to these two vessels, an armed despatch boat, the *Comet*, was for many years attached to the Residency for service in the waters of Turkish Arabia. In 1864 the Porte sanctioned provisionally the retention of the *Comet*, and in 1869 consented (No. X) to a new vessel of war being sent to replace her.

In 1835 the Political Agent in Turkish Arabia, who had till then been under the Bombay Government, was put directly under the control of the Supreme Government. In 1841 the powers of a Consul General were conferred on the Agent by Her Majesty's Government. In 1879 the Consular status of the Assistant Political Agent was raised from Vice-Consul to Consul, with a view to increasing the weight of his official communications with the Turkish authorities. The exercise of the Consular powers of the Agent and his Assistant is regulated by the Ottoman Order in Council of 1899. *

The measures which the British Government adopted for the suppression of the slave trade in the Persian Gulf could not be made effectual so long as the Turkish ports remained open to vessels engaged in the traffic. In 1847, therefore, Her Majesty's Minister at Constantinople obtained from the Sultan a Farman (No. XI) which was supplemented by instructions to Najib Pasha, the Governor of Baghdad. These documents authorised the confiscation of Turkish vessels engaged in slave traffic; the exclusion of Arab and Persian slavers from Turkish ports in the Persian Gulf; and the delivery of liberated slaves to British vessels to be carried back to their native country. In 1881 a Convention (No. XII) was arranged between Great Britain and Turkey Among its provisions is one authorising British cruisers to visit, search and if necessary, detain any Ottoman vessel engaged in the traffic in African slaves in the Persian Gulf, with a corresponding reciprocal clause in favour of Turkish cruisers.

In October 1863 an Engagement (No. XIII) was made with the Sublime Porte for the continuation of lines of telegraph from Baghdad to Basrah and from Baghdad to Khanakin, in order to meet the Indian telegraph by way of the Persian Gulf and the line through Persia to the Turkish frontier; and in 1864 a Treaty (No. XIV) was concluded between Great Britain and Turkey for establishing telegraphic communication between India and the Ottoman territory.

* *See* Appendix No. II.

Up to the year 1871 Turkish territory on the east coast of the Arabian Peninsula had extended as far south as Fao, at the mouth of the river Shatt-ul-Arab. In that year Abdulla bin Fazl, Amir of Nejd, invited the Wali of Baghdad to assist him against his brother, Saud. The Turks with Abdulla's aid, and ostensibly on his behalf, occupied Katif and the oasis of Hasa, and then declined to make them over to Abdulla.

At that time the Pashalik of Basrah was incorporated with that of Baghdad. Four years later it was separated, to be re-incorporated in 1880. In 1884 it was again separated and the districts of Amara, Muntafik, and Hasa, each of which is governed by a Mutasarrif under the Wali of Basrah, were included in it. Various branches of the administration, however, were left under the control of departments in Baghdad, *e.g.*, customs, posts, telegraphs, and tribunals. This arrangement continues at the present time (1906). The Pashalik of Basrah extends from Ali Gharbi on the Tigris and Kalat-ul-Daraj on the Euphrates to Bidaa in the Persian Gulf, a distance of about 600 miles. It is bounded on the east by Persia and the Persian Gulf, and on the west by the Nefud and Syrian deserts.

In 1880 a Russian Consul was appointed at Baghdad. From 1886, however, he was withdrawn, and from that time till 1889 Russian interests in the Wilayat were guarded by the French Consul. In May of that year the Russian Consulate was re-established, and on the 16th January 1901 it was raised to a Consulate General with a European Chancellier as an Assistant. On the 20th May 1904 a European Vice-Consul was added to the staff. Neither Vice-Consul nor Chancellier remained long at Baghdad. An Austro-Hungarian Consulate was established on the 16th May 1900. The British Consul-General was in charge of Austrian interests from September 1903 till November 1904, when an officer of the Austrian Consular service arrived. Since December 1904 the French Consul has been in charge of Austrian interests. The French Consulate was reduced to a Vice-Consulate on the 25th June 1897, but was again raised to a Consulate in February 1906. A Consulate of the United States of America was established on the 22nd May 1889, but was reduced to a Vice-Consulate on the 18th July 1896. A Belgian Consul was appointed on the 3rd August 1904. A Consul for Norway and Sweden was appointed on the 27th September 1905. In 1883 the British Consul-General at Baghdad was charged with the protection of the interests of German subjects within his Consular district. This arrangement lasted till the 20th December 1894, when a German Consul was appointed. Greek subjects have been under the protection of the British Consul-General since the 15th August 1887.

In 1880 it was ruled that Nejd or Central Arabia and its affairs should come within the cognizance of the Political Agent in Turkish Arabia instead of the Resident in the Persian Gulf at Bushire. In 1882 the designation of the British officer posted at Baghdad was changed by the Government of India from "Political Agent" to "Political Resident" in Turkish Arabia.

In 1880 the Turkish Government, in an official letter to the Wali of Baghdad, recognised the British Consul at Basrah as charged with the protection of Greek interests in that town. In 1897 he was charged with the protection of Italian subjects, and in 1901 with that of Austro-Hungarian subjects. The Assistant Political Agency and Consulate at Basrah was transferred to the London Foreign Office in 1898, and the first Consul was appointed by the Secretary of State on the 22nd September 1898. In 1899 a Consular Agent of the United States of America was appointed at Basrah.

In 1886 the British Consular "desert post" which had been maintained since 1844 more particularly for the transmission of weekly despatches across the desert of Shamiya to Damascus, and thence by mail cart to the Mediterranean, was relinquished. It was formerly maintained by the Government of India for political reasons. Under the international postal system, the Ottoman Government started a dromedary post of their own over the same route.

In 1887 the British Government withdrew the British Vice-Consulate at Mosal, and that province is now included in the sphere of action of the Resident in Turkish Arabia.

The post of British Consular Agent for Karbala and Nejf, with headquarters at Karbala, was created on the 23rd October 1893. On the 31st August 1903 the post was raised to that of a Vice-Consulate. A British Consular Agent at Mosal was appointed on the 26th February 1894. He works under the orders of the Resident in Baghdad. In 1895 the premises, hitherto rented by the Government of India for the Assistant Political Agent at Basrah, were purchased by the Government of India in the name of the British Embassy at Constantinople. In 1900 a site for a new Residency at Baghdad was similarly purchased.

From the 1st June 1903 the rates of postage for non-official letters, post-cards, news-papers, books and pattern and sample packets between Baghdad and India were changed, and for this purpose Baghdad was no longer treated as a town in British India but as a foreign town and placed under the union rates of postage for these articles: but for official communications, soldiers' and seamen's letters, parcels, value-payable articles, and money orders the rules of the Indian inland post still hold good.

On the 1st April 1904 the Residency Treasury at Baghdad adopted the Turkish instead of the Indian currency, and all payments and receipts are now made, and the accounts kept, in the local currency.

FAO.

Through the mediation of Great Britain and Russia the Turkish and Persian Governments mutually agreed in 1848 to abstain from placing fortified posts on either side of the Shatt-ul-Arab. Since 1886, however, the Turks, despite remonstrance, have been engaged in erecting fortifications at Fao on the right bank of the river. A small square fort is now in existence at Fao, but it has no guns.

In March 1890 Commander Boldero of Her Majesty's Ship *Sphinx*, under instructions from the Commander-in-Chief on the East India Station, arrived off Fao with the object of visiting and reporting on the fort. He was accompanied by Her Majesty's S.S. *Griffin* and *Redpole*. On attempting, however, to land, Commander Boldero and his party were fired upon by the garrison and withdrew. For this outrage the commandant of the fort was condemned to six months' imprisonment and dismissal from his post, and Commander Boldero was eventually allowed by the Sultan's orders to carry out his visit to the fort. In connection with this incident the Porte was informed that the British Government attached importance to the discontinuance of the fortifications at Fao.

In 1891 the International Board of Health at Constantinople decided to transfer the quarantine station on the Shatt-ul-Arab from Basrah to Fao, on the ground that shipping entering the river could be more easily controlled from Fao than from Basrah. At the same time the local Turkish authorities commenced levying quarantine dues at Fao and Dowasir, both on vessels entering and on vessels leaving the river, and in 1893 the Turks went so far as to claim that Mohamerah was Ottoman territory, and that all goods imported to, or exported from, that port should pay duty either at Fao or Dowasir.

In order to protect Indian craft coming up the Shatt-ul-Arab against these absurd claims a Consular Agency was established at Fao on the 13th January 1896. About the same time His Majesty's ship *Lapwing* was ordered to Fao to assist in protecting British shipping. In consequence of these measures the Porte decided to permit British ships to go to Basrah or Mohamerah without touching at Fao, and directed that they should be medically examined at Basrah only. The Consular Agency at Fao was therefore not so necessary as before and was placed in abeyance in September 1897.

No. I.

TRANSLATION of SOLEIMAN PASHA'S GENERAL FIRMAN.—1759.

To the Chief of the Siads, Zous, and Freeholders, our Aga, the Motusullim of Bussora, for the time being (whose state God increase), be it known unto you that my commands are as follows:—In the city of our great Sultan called Bussora, there is an English Balios, or chief of the merchants, etc., his nation being in peace with our high Porte whose grandeur God continue everlastingly; therefore, there are in his hands the high and respectable capitulations of our lofty Porte, to which all submission must be paid, and it behoves all men to obey the orders therein contained. Therefore, in the manner that it is commanded and ordered in said high capitulations, article by article, whether regarding the customs and all things relative thereto, or whether regarding other matters, or whether the respecting, favouring, assisting, and protecting the said English Balios and his effects agreeable to the said high capitulations, you must, as ordered by our great Sultan, in all things conform and pay obedience thereto, and you must not in any the least respect depart from, or act contrary to, said respected capitulations; and this our Booyooroldi or order I send you for this purpose. When it arrives you be it known unto you that it is by us directed that, conformable to the said high capitulations, which are the commands of our great Sultan, the English Balios you are to aid, assist, and protect, and in all other respects you are to pay obedience thereto, and from the letter of the said high capitulations you must not in any respect depart, and agreeable to this our order or Booyooroldi you are commanded to act.

L. Signandi
Mohurum
1173.

No. II.

LITERAL TRANSLATION of the IMPERIAL FIRMAN constituting ROBERT GARDEN, ESQ., CONSUL IN BUSSORA, issued on the 27th day of the month SUFFER in the year of the HEGIRA 1178—A.D. 1764.

(Sd.) SAMUEL MANESTY,
Resident.

In these times the English Ambassador residing at our Court, Henry Nevile, Esq., has presented to us a formal memorial to the following effect

that the English Envoys at Aleppo, Alexandria, Tripoli in Syria, the Grecian Islands, Tunis, Tripoli in Barbary, Scio, Smyrna, and Egypt, and all the other considerable towns having scales or ports in our dominions, may have the power of appointing Consuls of their own nation; and, in the event of their choosing to change any of them and appoint others in their room, that no person may be permitted to interfere or to prevent such an arrangement. Now, be it known that former agreements have established this. Moreover, it appears that before the present period the East India Company had sent a person to Bussora, by name William Shaw, Esq., to represent them and superintend their affairs, who was not possessed of any Consulary Birat; but upon the expiration of his period of service and his removal, they appointed in his room the bearer of these royal letters, Robert Garden, Esq.. who was also furnished with a Commission from the Company. Now, according to the tenor of former engagements as well as in compliance with the wishes of the Ambassador, it became proper and necessary to deliver the Birat in question into his hands We have accordingly consigned to him our royal diploma.

According to what we have written, the aforesaid Robert Garden, Esq., is constituted British Consul, under the regulations to be here explained by us as well in regard to his latitude of action, as the conduct to be observed towards him.

1st.—He is nominated and appointed Consul in Bussora.

2nd.—He shall have full and sole power of taking cognizance of all affairs concerning those of the nation to which he belongs, such as captains of ships, merchants, and also all who may be under the protection of the English flag; all matters relating to the above are to be under his peculiar care.

Without his express written order, no English vessel shall be permitted to come to Bussora.

The servants of the Consul shall not be subject to the poll tax or any other species of tax or tribute. Their butchers shall not pay any duty, and, in fine, the aforesaid description of persons must be protected from any kind of contribution.

In the event of their purchasing male and female slaves, they shall also be exempted from the above-mentioned duties.

No person shall interfere in respect to their furniture, their eatables or drinkables, for these have been privileges of old standing; such articles too shall be free from customs.

No person shall dare to imprison or put in fetters the Ambassador, the Consul, or their Agents, neither shall they seal up their houses; and should the Consuls where they reside have with them a military detachment, and wish to place them in separate houses, let none molest them for so doing.

We repeat that their male and female servants are to be exempted from taxes, as are their butchers from duties, all which exemptions are of old.

In the event of the Consul conceiving himself aggrieved, or any person having cause of complaint against him, we, in conformity to former agreements, hereby order that the matter shall be referred to our Court for decision, and that you shall not hear the discussion elsewhere.

Should the aforesaid Consul happen to travel, in whatever part he may choose to visit, either by sea or land, he, his suite, servants, cattle, and goods shall be sacred from any harm, and upon his return, should he, from not being provided with a stock of necessaries, wish to make requisite daily purchases on the road, let none refuse to supply him, or dare to engage in disputes with him.

In places where danger may be apprehended, they shall be permitted to wear the turban and the sword, to ride on horseback, to carry the bow, spear, and all the appurtenance of war, and whatever Cathies or others should see them so provided, they are not to molest them.

But should they exceed the bounds of these agreements, privileges and concessions, you are to check and prevent them, for such salutary restraint and observance of good order is necessary.

To all future times these regulations and instructions shall be valid, for we will not suffer the least infrigement thereof, nor shall we sanction any excess.

Birat or Consular Commission.

We, the Right Honourable Henry Grenville, Ambasssador to His Majesty the King of Great Britain, at the Ottoman Porte, etc., etc.

To all whom these presents may concern greeting.

L. S. H. GRENVILLE.

Having judged it very proper and necessary to grant this present for the service of the Honourable English United East India Company, as also for the better security and prosperity of their affairs in trade at Bussora, and also when in the Ottoman dominions, as also to secure and assure a protection to all persons in the respective Residencies of their Agents and Ministers, that from thenceforth there be established a Consul with ample and full power over all belonging to his charge to execute the above-mentioned.

Be it therefore known that we, by virtue of authority granted us by royal letters patent under the great Seal of Great Britain, and conformable to an Imperial Birat granted by the Emperor's Sublime Porte and the Sultan Mustafa, son of Sultan Ahmed, always victorious: By these presents we declare and acknowledge the illustrious Mr. Robert Garden, the present Agent of the said Honourable Company (or also their future Agents), and whoever be Agent in future and whoever be British Consul for transacting

their affairs in the city of Bussora, or other places the reto belonging, or dependent thereon, granting, however, to the said Mr. Robert Garden, or even to any who shall be Agent in future, full and ample power in all things belonging to his charge, and in this respect we order all His Britannic Majesty's subjects to acknowledge him in other quality of British Consul, praying their Excellencies the Hon'ble Pasha and other Officers, Ministers, and Magistrates of the Ottoman Empire, to whom these presents shall be shown to suffer them freely to enjoy and amply and peaceably to enjoy their Consulship, and to aid them with their assistance, protection and favour, whenever their occasions lead them to have recourse to them, conformable to the good and ancient friendship subsisting between the Crown of Great Britain and the Sublime Porte and conformable to the sacred capitulations.

In faith of which we have signed these presents with our own hands and have caused it to be countersigned by our chief Secretary, applying thereto the royal Seal of our embassy.

Done in our palace of Pera at Constantinople this 29th August 1764.

No. III.

TRANSLATION of an IMPERIAL OTTOMAN DIPLOMA granted to HARFORD JONES, ESQ., BRITISH CONSUL of BAGDAD and the ENVIRONS.—1802.

At the request of Lord Elgin, English Ambassador to the Sublime Porte, in a memorandum given to us by him, to wit, that in consequence of the capitulations, the English Minister having named Consuls at the ports of Aleppo, Alexandria, Tripoli of Syria, Algiers, Tripoli of Barbary, Tunis, Scio, Smyrna, Egypt, and other ports requiring custom houses, and wishing shortly to change or replace them by others, and having for the present assigned and established as Consul in the city of Bagdad and its environs, Harford Jones, Esq., a British subject, and residing in the said city of Bagdad, in order to protect the affairs of British merchants established there, or of travellers, we have given him our Imperial Birat in conformity with the requisitions of the said capitulations, confirming and ordaining the said Harford Jones, Esq., as Consul in the said city of Bagdad, that in conformity with the said capitulations the affairs of merchants and travellers under the protection of the British flag in this country, in cases of difficulty arising, should be referred to him, and that the departure of all vessels should take place only under his cognizance, and that no public servants under his orders should be molested under the pretext of tribute, or certain regulations entitled *Kharatz*, neither of others named *Avariz*, nor of such as is levied by ships called *Cassab Akeessi*, or other arbitrary impositions called *Tekialifi Orfye*; that no one shall exact the *Kharatz* nor other dues for male and female slaves in his service, and that no person shall interfere

nor obstruct the domestic affairs of the said Consul, but on the contrary, they shall be free from all impositions according to the prevailing customs neither shall they be subject to the customs or excise duties; that the Consul being established by the British Ministers is not subject to imprisonment; that his house cannot be closed or searched, or have any body of troops lodged therein; that assistants and slaves belonging to him shall be free and exempt from *Kharatz* and *Avariz*, *Cassab Akeessi*, *Tekialifi Orfye*; that any complaint made by any person against him shall be referred to us and cannot be disposed of by any other means; that should the said Consul find it necessary to travel into any part of the country, either by land or by sea, at any stations or ports he may arrive at, no one shall molest him or his servants, or cattle or baggage, guides, or any thing connected with him; that any captain of country vessels on being paid shall be compelled to carry his provisions according to the prevailing regulations, and that no one shall seek pretext for disputes against him; and that in dangerous parts of the country he be allowed to wear a white turban, sabre, bow, or other warlike instruments.

That all judges and commandants or others shall not molest him, but shall assist and protect him, and shall prevent any one from throwing obstacles in his way, and always behave towards him in conformity with the capitulations, and that no one shall presume to oppose, but on the contrary, shall give every credence to this decree, given under our most respectable and noble Seal.

Given under our hand this 7th day of the moon of Rejib 1217, that is to say, 2nd November 1802, at our city of Constantinople.

No. IV.

Literal Translation of the Turkish note delivered in by the Resident to the Pasha as the terms on which the reconciliation was to be effected, to the contents of which the Pasha signified his unqualified assent.—1810.

Article 1.

The Pasha must renounce all species of authority or command in any shape over the Resident, as such is neither warranted either by usage or the treaties.

Article 2.

The Pasha shall never, on any pretext whatever, interfere in any manner with the affairs and arrangement of the Resident respecting his establishment, his customs and rights, his beating drums, etc., etc., and

there shall be, on no account, objections made to any of the Resident's orders, as such matters in no way concern the Pasha, nor come under his cognizance; particularly there shall be no objection made to the celebration of His Britannic Majesty's birth-day in the most public manner, with all the necessary ceremonies. In a word, there shall be no species of objection or interference in any of the Resident's states and ceremonies.

ARTICLE 3.

The Pasha shall never prohibit the customary interchange of visits between the great officers of the Turkish Government and the Resident.

ARTICLE 4.

The Resident has never, nor will ever, show the least disposition to any undue interference in the Pasha's affairs or Government, and will show every readiness to comply with the Pasha's wishes, provided they do not interfere or are not contrary to any of the Articles of this Treaty, or the interests of the British Government; and so it is agreed for the benefit of both parties.

ARTICLE 5.

Whenever the Pasha shall have any business with the Resident, he shall make it known to him by one of his own confidential men of rank; also should the Resident ever have any important business, and demand confidential persons on the part of the Pasha to converse with, there shall be no objections made to it, and the person required shall be immediately sent; the benefits arising from this Article are clearly reciprocal.

ARTICLE 6.

There shall be no equivocation in any of these Articles. Should any doubts hereafter arise relative to any particulars contained in the Articles (especially Article 2), the explanation of it shall be in favour of the Resident.

No. V.

DECREE of the PASHA of BAGDAD for PREVENTING the DESERTION of SAILORS at BUSSORA.—1812.

It is declared that the sailors and those who work on board the cruizers and merchant ships of the British Government, sometimes by drunkenness or other offences, incur the displeasure of their captains, and become liable to just and necessary punishment and correction; and, moreover, be it known that should the sailors or workmen aforesaid, in order to escape such chastisement, take refuge with, and expect protection

from, either yourself or the head captain of Shutel Arab (vulgarly called the captain Pasha) you shall by no means afford them protection, but deliver them up to the Agent at Bussora of the esteemed Resident of the British Government at Bagdad, in which intention this order has been written, decreed, and transmitted. When this shall reach you by the power of the Most High, you will immediately regulate your conduct and act by the decree contained in it.

No. VI.

Decree of the Pasha of Bagdad for the restoration of Natives of India brought to Bussora as slaves.—1812.

It is declared that, in consideration of the amicable relations subsisting between the sublime government of perpetual strength and internal stability (*i.e.*, the Porte) and the British Government, whose friendship it behoves us to cultivate, should the captain or crew of ships trading on the seas, whether belonging to Bussora or Muscat, steal and bring subjects of the aforesaid government in India, either males or females, natives of India, for sale at Bussora in the manner of negro male and female slaves, and the Agent of the esteemed Resident at Bagdad for the British Government established at Bussora prove that the aforesaid male and female slaves are not negroes, but natives of India, who have been kidnapped, they shall be taken from the hands of the thieves and despoilers and delivered up into his hands, and for carefully establishing this clear law in the government this order is written, decreed, and transmitted with the power of the Most High. When this shall reach you, you will immediately regulate your actions and conduct by the Articles contained in it.

No. VII.

Translation of a letter from His Highness the Pasha of Bagdad to the Political Agent at Bussora.

After Compliments,—The Dragoman of the English nation has arrived here, bearing a sealed despatch from the government and a letter from yourself containing the following demands :—

Article 1.

A compliance with all stipulations contained in the Imperial Treaties and regal firmans, ancient or recent.

Article 2.

The restitution of whatever was taken from Mr. Sturmey above the proper rate of customs, and of such property of Mr. Scoododa as was damaged or lost.

ARTICLE 3.

Whatever may be deemed to constitute the complete safety in every respect of the life property, and honour of all agents or vakeels of the government, of their protected dependants and subjects, together with an attentive regard for their views, wishes, a due estimation and honouring of them, and an admission of their rights to grant asylum and all other claims according to their ancient rights and customs; and that they may entertain as many servants as they see necessity for.

ARTICLE 4.

Should hereafter an agent, not an Englishman, be established at Bagdad, he shall unquestionably meet with every proper honour and consideration as it is due to his station.

ARTICLE 5.

Bills of exchange shall not be taken from their shroffs by force, nor money from their dependants or protegés by compulsion, nor shall temporary or arbitrary taxes of any kind ever be levied on their landed or other property contrary to their due right and custom.

ARTICLE 6.

No tax, except one previously well-defined and arranged, shall be levied on boats the property of British subjects and protegés; such, for instance, as pass between Bussora and Bagdad; nor shall their boats be seized for the public service; nor shall the property of merchants being British subjects or protegés arriving at Bagdad, otherwise than as is usual on the arrival of the same at Bussora, enter the custom house contrary to stipulation and covenant.

ARTICLE 7.

Should British subjects and protegés lose any property in the town or on public roads, and by theft or plunder, every exertion shall promptly be made to recover the same.

ARTICLE 8.

Should any dependant of the Government suffer from any of our subject's offence or injury, the injured individual shall receive immediate satisfaction and reparation.

ARTICLE 9.

In commercial dealings goods having been bought shall not be returned except on legal and just plea; and commercial disputes shall be adjusted by an assembly of merchants according to mercantile usage.

ARTICLE 10.

Should British or Indian seaman desert, they shall not be forced to become converts to Islam, and in case of their willing conversion, they shall be subsequently delivered up to their duty in order to prevent any detriment to the interests of the ship.

ARTICLE 11.

A spot shall be assigned on lease to the Resident for a house and garden wherever he may point out.

ARTICLE 12.

The proven claims of British protegés to be enforced on whomsover of our subjects it may be, without the smallest loss or injury to the claimants.

We have considered and fully comprehend these demands, in like manner also as we are convinced of the very great and faithful regard of His Imperial Highness for the English nation; with regard, therefore, to such part of them as are contained in those Imperial Treaties and royal decrees which are in their hands, it has even been fulfilled to them hitherto, and we shall continue likewise to observe it in time to come, and this, too, in due consideration of the fulness of that valued friendship and the abundance of ancient and lasting unanimity which has existed between the two States in ages past.

With respect, however, to the overplus of customs taken from Mr. Sturmey and the goods lost to Mr. Scoododa, we have made investigation and discovered that the circumstances occurred by chance and not from premeditation; we have consequently returned them to the Dragoman above mentioned, as we cannot consent to any conduct towards the British Government contrary to Treaty and covenant—our friendship for them being of ancient date—and also in compliance with the engagements of our predecessors up to the present date.

In conformity, therefore, with the firm and lasting alliance formed between the Imperial and British Governments with a view to confirm and secure the foundation of that faithful alliance and to strengthen the bonds of the immutable and important union set forth in the Imperial Treaties and royal edicts which are in their possession, and in conformity with ancient rule and former precedent, we have agreed to the observance of all the stipulations above mentioned, and have sealed this instrument as a proof of our consent, and delivered the same into the hands of the Dragoman aforesaid.

Be you therefore informed of this and consider it as fully efficient.

Seal of Daood Pasha.

No. VIII.

TRANSLATION of a BOYOOROOLDI from HIS HIGHNESS HAJEE ALI REZA, PASHA of BAGDAD, ALEPPO, DIARBEKIR, and MOUSUL, to the POLITICAL AGENT at BUSSORA, dated the 27th Rubeeoos-sanee A.H. 1247, or 2nd October A.D. 1831.

Official Sign.

To the spiritual leader of Islam, the Lieutenant (of the Qadhee of Constantinople) at Bussora, to His Excellency the Muftee Effendi of Bussora, whose piety and excellence be increased, to the Chief of the exalted Ministry and Government the Motusullim Aga, be his rank and station increased, and to the elders and men of weight of the Council and country, whose dignity be magnified. In reference to all affairs supervening at Bussora, and relating to the excellent Resident of England, the high and exalted Mr. Taylor, Balios Beg residing with our eternal government, and in observance of his rights and those of his agents, interpreters, and all his protegés and dependants, and of all the subjects of his government, and the merchants and ships arriving from Hindoostan, according to the stipulations and Treaties which have been arranged and ratified with our exalted State: as they have been held in times preceding, to which we adhere, and for which we even exceed the former regard out of a wish to protect their rights; so you also the Nayee Effendi, and Muftee Effendi, and Motusullim Aga, and Ayan (inferior ministers) will in likewise deport yourselves towards, and protect the rights and regard the just claims of the dignified Mr. Taylor, Beg, his agents, interpreters, protegés, and dependants, and the subjects of the government arriving from Hindoostan and their ships and merchants, and all others soever, conformably to what we have promulgated in this our Boyoorooldi, which you will on no account infringe: and thus be it known unto you.

No. IX.

TRANSLATION of an IMPERIAL FIRMAN of PROTECTION for the ENGLISH STEAM VESSELS destined to NAVIGATE the RIVER EUPHRATES, dated 29th December 1834.

To their Excellencies the Viziers, Pashas of three tails, to the illustrious Miri Mirans, Pashas of two tails, to the learned Judges, to the Wainadas, Captains of Ports, and other Magistrates of places situated on both banks of the Euphrates, health.

On receiving the imperial command, you will know as follows:—The Ambassador Extraordinary and Plenipotentiary of Great Britain at Constantinople, Lord Ponsonby, one of the most illustrious personages among the Christian nations, has presented at our Sublime Porte an official note, by which he intimates that the British Government requires permission to cause to navigate by turns two steam boats on the river Euphrates which flows at a small distance from the city of Bagdad, for the purpose of facilitating commerce.

We in consequence issued to our very illustrious governor of Bagdad and Bussora, Ali Reza Pasha, an order to furnish our Sublime Porte with information of the proposed navigation.

Although the answer of the Pasha had not arrived, the Ambassador made representations on this point, informing our Sublime Porte the British Government awaited our reply.

For this reason we have and do permit two steam boats to navigate the Euphrates by turns, and this navigation is to continue as long as, conformably to what has been represented to us, it may prove useful to the two powers, and no inconvenience result therefrom, and it is to this purpose that an official rule has been transmitted to the British Ambassador.

A firman couched in the same terms has been addressed to the Pasha of Bagdad and Bussora.

Le 13 Juillet.

Sublime Porte.

No. X.

Note Verbale.—1869.

Le 13 Juillet.

En réponse à la note verbale de l'Ambassade de S. M. Britannique en date du 23 Juin, le Ministre des Affaires Etrangères a l'honneur de l'informer que la S. Porte consent au replacement par un autre navire du bâtiment de la Marine Royal la *Comète*, se trouvant sur les rivières de Mesopotamie, et qu' elle a transmis des ordres en conséquence au Governeur-General du Vilayet de Bagdad.

A l' Ambassade de S. M. Britannique, &c., &c., &c.

No. XI.

Translation of an Imperial Firman addressed to the Valee of Bagdad, dated in the beginning of Suffer 1263, or end of January 1847, communicated the 23rd January 1847.

To the Valee of Bagdad,—Ordained (that) whereas, although special conventions have been entered into between the British Government and certain

rulers in Africa for the purpose of preventing the exportation of black slaves from that country to (the ports of) America and to other places, certain merchant ships contrive to kidnap slaves from the African coasts, and continue to transport them to other places, owing to which the provisions of the aforesaid convention cannot be carried into execution; a request has been therefore lately made on the part of the British Government that the necessary measures should be adopted in this matter by my Sublime Porte with reference to those places; and whereas the inhuman and barbarous treatment adopted with regard to kidnapped slaves in the places to which they are transported is not like unto (that adopted towards) slaves coming to these places, and that the prevention thereof would be both just and commisserate: It is therefore my supreme and imperial will that the slave trade carried on on the aforesaid coast by the merchant vessels under my imperial flag be henceforward entirely prohibited, that any (vessels) acting in contravention to this prohibition and captured by the ships of my imperial fleet which by the grace of God are to be sent into those waters, or taken by the British ship of war cruizing in those parts and delivered up by them to the Authorities of my royal ports in the Gulf of Bussora, be taken possession of by my Sublime Porte, and that the captains thereof be punished; that those whom it may concern be peremptorily warned thereof, and that the utmost care and attention be paid to the full and perpetual observance of the present prohibition, and to the punishment of those acting in contravention thereto as aforesaid.

You, therefore, who are the Valee of aforenamed, will act conformably (hereto), and beware of transgressing (these orders).

TRANSLATION of a COMMUNICATION made by the PORTE to HER MAJESTY'S EMBASSY.

A vizierial letter, dated the 10th September (27th January 1847), has been addressed to the Valee of Bagdad as follows:—

An Imperial Firman just issued concerning the prohibition to the exportation of black slaves from Africa to America and other places is herewith transmitted to your Excellency, and it is the supreme command of His Majesty that you should be careful to enforce the orders contained in it.

Without entering into unnecessary details (on the subject) with your Excellency it is necessary to observe that, as the publication of this Imperial Firman will not be without its objections, you should keep it by you, and, without any reference whetever thereto, duly issue the orders contained in it to the Authorities of such places as may be requisite.

His Majesty has moreover ordered that towards next spring some vessels of the imperial fleet should be sent (God willing) to superintend the full execution of this interdiction, as well as to promote the welfare of those coasts as heretofore; and whereas it would be productive of loss to some of His Majesty's subjects ignorant in the beginning of the prohibition of the execution thereof were to be enforced contemporaneously with its promulgation:

the publication of these orders are to be made by you on the receipt of this despatch. You will also make known that they are to be in full vigor four months after the date hereof, that is, after the 10 of Suffer (27th January 1847), and that the slaves which may be on board any merchant vessels under the Ottoman Flag, which shall have dared to act in contravention thereof, after the expiration of the aforesaid period, and which having escaped the vigilance of the Authorities on their passage may enter any of the Turkish Ports, shall be taken possession of and detained.

You will also adopt suitable measures for sending back to the place from which they may have been kidnapped, the slaves arriving in any of His Majesty's ports.

COPIE OFFICIELLE d'une LETTRE addressee par lé GRAND VIZIER au PASHA de BAGDAD en date 6th AVRIL 1847.

TRADUCTION.

J'ai informé V. Excellence par une depêche que je vous ai ecrite dernièrement relativement à la défence aux bâtimens sons pavillon Ottoman de faire le commerce des esclaves avec les côtes d'Afrique, qu'en conséquence des ordres prohibitifs qu ont été donnés à cet effet, les bâtimens Ottomans qui après l'expiration du terme qui a été fixé auront l'audace de contrevenir à ces ordres, et qui auront été arrêtés pour cela, seront confisqués avec les esclaves qu'il y aura à bord, mais pour prévenir les mal-entendues et la confusion à cet égard, je veux donner sur cette question les éclaircissemens suivans.

Votre Execellence sait qu'il y a dans ces environs là des Gouvernements et des *Imams* independants, et cela étant, les châtimens dont il s'agit ne peuvent pas être appliqués a leurs bâtimans. If faudra donc se borner, à l'égard de ces bâtimens, à leur défendre de transporter et d'introduire des esclaves dans les ports de la S. P. qui sont dans le Golfe Persique et s'ils en viennent Votre Excellence aura seulement à les renvoyer et à les éloigner. Ainsi V. E. voudra bien donner aux autorités compétents les ordres necessaires dans le sens au-dessus expliqué.

20 *Rebi-al-Akhir* 1263.

TRANSLATION.—INSTRUCTIONS to NEJIB PASHA of BAGDAD, about the AFRICAN SLAVES.

As your Excellency well knows, I have stated in the despatch I wrote to you, in consequence of the firman issued for the purpose of prohibiting the transport of black slaves from Africa to America and other places that it will be necessary to take measures for sending back conveniently to the places whence they had been kidnapped, those slaves who shall come to any port of the Ottoman Empire in vessels under the flag of the Sublime Porte.

But on thinking again on this matter, we found that this plan is not quite exempt from inconvenience, for it is not improbable that the slaves should fall, while on their way home, into the hands of people dealing in slaves, and experience again all sorts of misery.

Now the slaves who shall have been liberated from the hands of the merchants are naturally become thus free, and they may, of course, act as they like. Such of them, then, as will not return, but choose to remain, cannot be forced to go, and they must be allowed to stay where they please.

But humanity requires that measures should be taken to send safely to the place of their destination those who wish to return, and therefore, it has been thought expedient, and the Sultan has given orders to that effect, that those among them who wish to return should be consigned to the British Authorities in those environs, put on board the British men of war, or on board other vessels which shall be assigned by the English, and sent away.

This matter has been talked of with the British embassy, and your Excellency will therefore talk about it with the British Consul at Bagdad, and send the analogous instructions to the competent Authorities; and as to those among the slaves that have been captured, who may wish to remain in this country, your Excellency will take care to furnish them with a Tezkéré, that they may not be molested by any body whatever after that.

No. XII.

TREATY between GREAT BRITAIN and TURKEY.

At the COURT at HOLYROOD PALACE, the 26th day of August, 1881.

Present:

THE QUEEN'S MOST EXCELLENT MAJESTY,

His Royal Highness the DUKE OF CONNAUGHAT and STRATHEARNE, Lord President,	Earl of Roseberry, Mr. Secretary Childers.

Whereas, by an Act passed in the 37th year of Her Majesty's reign, Chapter 88, intituled "The Slave Trade Act, 1873," it was, amongst other things, provided that, where any Treaty in relation to the Slave Trade is made after the passing of that Act by or on behalf of Her Majesty with any Foreign State, Her Majesty may, by Order in Council, direct that as from such date, not being earlier than the date of the Treaty, as may be specified in the Order, such Treaty shall be deemed to be an existing Slave Trade Treaty within the meaning of the Act; and it was further provided that thereupon (as from the said date, or, if no date should be specified, as from the date of

such order) all the provisions of the Act should apply and be construed accordingly.

And whereas on the 25th day of January, 1880, a Treaty or Convention for the suppression of the African Slave Trade was concluded between Her Majesty and His Majesty the Emperor of the Ottomans in the following terms that is to say :—

" Her Majesty the Queen of the United Kidgdom of Great Britian and Ireland, and His Majesty the Emperor of the Ottomans, being mutually animated by a sincere desire to co-operate for the extinction of the traffic in African Slaves, have resolved to conclude a convention for the propose of attaining this object, and with this view have named as their Plenipotentiaries, that is to say—

" Her Majesty the Queen of the United Kingdon of Great Britain and Ireland, the Right Honourable Sir Austen Henry Layard, Her Majesty's Ambassador Extraordinary and Plenipotentiary at the Sublime Porte ;

" And His Majesty the Emperor of the Ottomans, Sawas Pasha, His Majesty's Minister for Foreign Affairs ;

" Who, having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles :—

" Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, et Sa Majesté l'Empereur des Ottomans, étant animés mutuellement du désir sincère de co-opérer à la cessation du trafic des esclaves d'Afrique, ont resolu de conclure une Convention avec l'intention d'atteindre cet objet. Dans ce but ils ont nommé comme leurs Plenipotentiaires—

" Sa Majesté la reine du Royaume Uni de la Grande Bretagne et d'Irlande, le Très-Honorable Sir Austen Henry Layard, Ambassadeur Extraordinaire et Plénipotentiaire de Sa Majesté près la Sublime Porte ;

" Et Sa Majesté l'Empereur des Ottomans, Sawas Pacha, son Ministre des Affaires Etangères ;

" Lesquels se sont communiqués mutuellement leurs pleins pouvoirs respectifs, trouvés en bornne et due forme, et ont convenue et arrêté les Articles suivant :—

ARTICLE I.

" His Imperial Majesty the Emperor of the Ottomans, whilst renewing absolutely the prohibition of the Slave Trade, engages to forbid, from henceforward, the importation of African slaves into any part of the Ottoman dominions or its dependencies, or their transit through Ottoman territories by

ARTICLE I.

Sa Majesté l'Empereur des Ottomans, renouvelant d'une manière absolue la défense du trafic des nègres, s'engage à prohiber l'importation des esclaves d'Afrique dans toutes les parties de l'Empire Ottoman ou ses dépendances, leur passage à travers le territoire Ottoman par mer, et à punir, suivant les dispositions préveus

sea; and to punish, in the manner provided by Ottoman law, and in conformity with the provisions of the Firman of the year A. H. 1273 (A.D. 1857) any person, or persons, amenable to Ottoman jurisdiction who may be found engaged, directly or indirectly, in the traffic in African slaves. His Majesty further engages to prohibit the exportation of black slaves from the Ottoman Empire to foreign parts, except when accompanying their masters, or mistresses, as domestic servants, in which case each slave, man or woman, shall be furnished with a certificate stating (his age) and otherwise describing them, and stating the particular capacity in which they accompany their master, or mistress; and in the event of their not being furnished with such certificates they shall be set free, and the parties attempting to export them shall be liable to punishment; and all free blacks leaving the Ottoman territories shall, on the application to the Ottoman authorities, be furnished with passports certifying that they are free and at liberty to dispose of themselves without restriction, or reserve.

ARTICLE 2.

"Any person, or persons, not being Ottoman subjects, who may be found engaged in the African Slave Traffic, either directly, or indirectly within the Ottoman dominions, or on board Ottoman vessels, shall, together with their accomplices, if any, be handed over for trial according to the laws of the country, with the dispositions (*procès-verbaux*) drawn up by the Ottoman superior authority of the

par la loi Ottomane et conformément aux dispositions du Firman de l'Année 1273 (A. D. 1857), toute personne, ou toutes personne, justiciables des Tribunaux Ottomans qui se trouveraient mêlées, soit directement, soit indirectement, au trafic des noirs. Sa Majesté s'engage aussi à interdire l'exportation des esclaves noirs du territoire Ottoman à l'étranger, sauf le cas où ils auraient à accompagner leurs mâitres ou maîtresses, dons la quailité de domestiques attachés à leurs personnes. Dans ce cas, chaque esclave, homme ou femme, sera muni d'un certificat constatant son age, ainsi que tout autre signe distinctif, et mentionnant tout particulièrement en quelle qualité il accompagne son maître, ou sa maîtresse. Dans le cas où il ne sera pas muni de pareil certificat, il sera affranchi, et ceux qui tenteraient de l'exporter seront passible de punition. Tous les noirs affranchis qui quitteront l'Empire Ottoman recevront des autorités Ottomanes des passeports constatants qu'ils disposent de leurs personnes sans restrictions, ou réserve.

ARTICLE 2.

"Toute personne, ou toutes personnes non-sujets Ottomanes qui peuvent être mêlés du trafic des noirs, soit directement soit indirectement, dans les limites de l'Empire Ottoman, ou à bord d'un navire Ottoman, seront saisies ansi que leurs complices, si elles en ont, pour subir leur jugement conformément aux lois du pays. Elles seront accompagnées des procès-verbaux dressées par l'autorité supérieure Ottomane, de l'endroit où le trafic aura

place where the traffic has been proved; and all other documents, or evidence (*'éléments de conviction'*) handed over by the said authority, and destined to serve as proofs at the trial of the offenders so far as those laws may admit of such proof.

"All African slaves found in the possession of a dealer in slaves shall be liberated and dealt within conformity with the provisions of Article 3 of the present Convention.

ARTICLE 3.

"Taking into consideration the impossibility of sending back to their homes African slaves who may be captured from slave-dealers and liberated, without exposing them to the risk of perishing from fatigue, or want or from falling again into slavery, the Ottoman Government engages to adopt adequate measures to insure the freedom of such captured Africans, and to see that they are properly cared for.

ARTICLE 4.

"His Imperial Majesty engages to pursue as criminals all persons who may be found engaged in the mutilation of, or traffic in, children. If such persons are amenable to Ottoman jurisdiction they shall be handed over to the Ottoman Tribunals, and punished according to Ottoman law; if they are not amenable to Ottoman jurisdiction, that is to say if the criminals are not Ottaman subjects, and the crime has not been

été constaté, et de tous les autres éléments de conviction fournis par la susdite autorité, destinés à servir de preuves, lores du procès des inculpés, du tant que ces lois admettent de pareilles preuves.

"Tous les noirs trouvés en la possession de marchands des esclaves seront affranchis, et en agira à leur égard conformément aux dispositions de l'Article 3 de la présente Convention.

ARTICLE 3.

"Prenant en consideration l'impossibilité de renvoyer dans leur foyers les esclaves d'Afrique qui seraient capturés des marchands d'esclaves, et affranchis, sans les exposer au risque de périr de fatigue et de faim, ou de tomber, ne nouveau, sous le joug de l'esclavage, le Gouvernement Ottoman s'engage à prendre les mesures convenables pour assurer la liberté des noirs qui viendraient à être capturés, et à veiller à ce qu'ils soient convenablement soignés.

ARTICLE 4.

"Sa Majesté Impériale s'engage a poursuivre comme criminels toutes les personnes qui se trouveraient compromises dans des actes de mutilation, ou de trafic d'enfants. Si ces personnes sont justiciable des Tribunaux Ottomans elles seront livrées aux Tribunaux Ottomans, et punies suivant la loi Ottomane. Dans le cas contraire, c'est-à-dire, dans le cas où le criminel n'est pas sujets Ottoman, et le crime n'a pas éte perpétré sur le territoire Ottoman, elles seront consignées entre

committed on Ottoman territory, then they shall be handed over to the competent Tribunals, to be dealt with according as the law of their country directs, together with the depositions (*procès-verbaux*) and other documents, or evidence (*'éléments de conviction'*) as laid down in Article 2.

ARTICLE 5.

"With the view to the more effectual suppression of the traffic in African slaves in the Red Sea, His Majesty the Emperor of the Ottomans agrees that British cruizers may visit, search, and, if necessary, detain, in order to hand over to the nearest, or most convenient Ottoman authority, or to the competent authorities according to Article 4, for trial, any Ottoman vessel which may be found engaged in the traffic in African slaves, as well as any Ottoman vessel which may fairly be suspected of being intended for that traffic, or which may have been engaged in it on the voyage during which she has been met with.

"This right of visit and detention may be exercised in the Red Sea; in the Gulf of Aden; on the Coast of Arabia; in the Persian Gulf; and on the East Coast of Africa, and in Ottoman maritime waters where no constituted authorities exist; and any vessel which may be detained by a British cruiser under the provisions of this Convention shall, together with her cargo and crew, be handed over for trial to the nearest or most convenient Ottoman authority, or to the competent authorities according to Article 4.

les mains du Tribunal compétent, qui agira à leur égard suviant les lois du pays dont elles relevent. Elles seront accompagnées de procès-verbaux et d'autre élements de conviction, comme il est dit dans l'Article 2.

ARTICLE 5.

"Dans le but d'opérer d'une manière réelle la suppression du trafic des négres dans la Mer Rouge, Sa Majesté l'Empéreur des Ottomans consent à ce que les croiseurs Anglais soumettent à la visite et aux recherches et s'il est nécessaire à la détention, pour en faire la remise à l'autorité Ottomane la plus proche, ou la plus compétente, ou bien à qui de droit comformément à l'Article 4, et lui faire subir son jugement, tout navire Ottoman qui se trouverait impliqué dans le trafic des noirs comme aussi tout navire Ottoman qui, pourrait être à juste titre suspect d'être destiné à opérer ce trafic, ou qui l'aurait exercé dans le cours du voyage où il a été rencontré.

"Ce droit de visite et de détention pourra être exercé dans la Mer Rouge, dans le Golfe d'Aden, sur la côte Arabique, dans le Golfe Persique, sur la côte Orientale d'Afrique, ainsi que dans toutes les eaux Maritimes Ottomanes, même dans l'absence d'autorité constituée. Tout navire qui serait détenu par un croiseur Anglais à teneur des dispositions de cette Convention, sera consigné, ainsi que son chargement et son equipage, à l'autorité Ottomane la plus proche, ou la plus compétente, ou bien à qui de droit conformément a l'Article 4, pour quil soit procédé a son jugement.

"Should there be good reason for believing that vessels sailing under the Ottoman flag which may be found in Ottoman harbours, or waters, have African slaves on board for purposes of traffic, or have been employed in the African Slave Traffic during the voyage on which they have been last engaged, such vessels, on being denounced by the Commander, or other commissioned officer of a British cruiser, or by a British Consular Officer, shall be immediately searched by the Ottoman authorities, and any slaves who may be found on board shall be released and manumitted, and the vessel, her master, officers, and all persons who shall be proved to have acted in connivance with them, handed over to the competent Ottoman authorities, to be dealt with in accordance with Ottoman laws for the supression of Slave Traffic.

"All African slaves captured by a British cruiser on board on Ottoman vessel shall be at the disposal of the Ottoman authorities, or of the nearest authorities in the event of there being no Ottoman authorities in the vicinity, with a view of securing to such slaves their freedom; and the vessel and her cargo shall be handed over for trial to the nearest or most convenient Ottoman authority, or to the competent authorities according to Article 4.

"Her Majesty the Queen of Great Britain and Ireland agrees, on Her part, that all vessels navigating under the British flag in the Red Sea, in the Gulf of Aden, in the Persian Gulf, and on the east coast of Africa, or in the inland waters of the Ottoman Empire and

"Dans le cas où l'on aurait lieu de croire que des navires sous pavillon Ottoman, rencontrés dans les ports ou eaux Ottomans, ont des noirs à bord dans le but d'en faire le commerce, ou bien des navires dont on se serait servi pour le trafic des noirs durant le dernier voyage qu'ils auraient accompli, la dénonciation faite par le commandant, ou tout autre officier commissionné d'un croiseur Anglais, ou par un fonctionnaire Consulaire Britannique, les autorités Ottomanes opéront immédiatement des recherches. Tous les esclaves trouvés á bord de ces navires seront mis en liberté affranchis; le navire, le capitaine, les officiers, et tous eux qui seront convaincu d'avoir été de connivance avec eux, seront consignés aux autorités compétentes Ottomanes, qui agiront á leur égard á teneur des dispositions de la loi Ottomane concernant la suppression du traffic des négres.

"Tous les esclaves d'Afrique capturés par un croiseur Anglais á bord d'un navire Ottoman seront placés á la disposition des autorités Ottomanes, et dans le cas oú il n'y aurait pas d'autorité Ottomane à proximité, aux autorités les plus rapprochées, à l'effet de les proclamer libre. Le navire et son chargement seront consignés pour être judgés à l'autorité Ottomane la plus proche ou la plus compétente, ou à qui de droit conformément aux prescriptions de l'Article 4.

"Sa Majesté la Reine la Grande Bretagne consent de sa côté à ce que tous les navires navigant sous Pavillon Anglais dans la Mer Rouge, le Golfe d'Aden, sur la côte Arabique, dans le Golfe Persique, et sur la côte Orientale d'Afrique, ou dans les eaux intérieures de l'Empire Ottoman et de

its dependencies, which may be found engaged in the traffic in African slaves, or which may fairly be suspected of being intended for that traffic, or which may have been engaged in it on the voyage during which she may have been met with, may be visited, seized, and detained by the Ottoman Authorities, or cruisers; but it is agreed that the vessel and its cargo shall, together with its crew, be handed over to the nearest British Authority for trial.

"The captured slaves shall be released by the Ottoman authorities, and shall remain at their disposal.

"If the competent Tribunal should decide that the seizure, detention, or prosecution was unjustifiable, the Government of the cruiser making the capture will be liable to pay to the Government of the prize a compensation appropriate to the circumstances of the case.

"It is expressly and formally understood that none of the foregoing provisions apply to the ships of war of either country, which cannot in any case, nor under any pretext, be searched.

ARTICLE 6.

"With the view to avoid any undue interference on the part of British cruisers engaged in the suppression of the Slave Trade with Ottoman vessels whose crews may be composed, in whole or in part, of African slaves, it is hereby agreed that every Ottoman vessel manned wholly or partly by African slaves shall be furnished with

ses dependances, qui se trouveraient mêlés dans le trafic de négres, comme aussi tout navire qui pourrait à juste titre être suspecté d'être destiné à opérer ce traffic, ou qui l'aurait exercé dans le cours du voyage où il a été rencontré, soient visités, saisis, et détenus par les autorités, ou les croiseurs Ottomans. Mais il est entendu que ces navires et leur chargements ainsique leur équipage seront consignés à l'autorité Britannique la plus proche pour subir leur jugement.

"Les esclaves capturés seront mis en liberté par les autorités Ottomanes, et resteront à leur disposition.

"Si le Tribunal compétent décidera que la saisie, détention, et la poursuite n'étaient pas fondées et justifiées, le Gouvernement dont dépend le croiseur qui a opéré la capture payera au Gouvernement auquel appartient la prise une indemnité adaptée à la circonstance.

"Il est expressement et formellement entendu que les stipulations précédentes ne s'appliquent pas aux bâtiments de guerre des deux Etats, qui ne peuvent en aucun cas et sous aucun prétexte être visités.

ARTICLE 6.

"Dans le but d'éviter que les croiseurs Anglais chargés de la suppression du commerce des esclaves ne s'ingérent indûment dans les navires Ottomans dont les equipages seraient formés en totalité, ou en partie, d'esclaves d'Afrique, il est convenu par le présent Acte que tout navire Ottoman équippé en totalité, ou en partie, par d'esclaves d'Afrique devra

papers stating the voyage or employment, on which she is engaged, and the number and description of the slaves on board, and any larger number of African slaves found on board than is authorized by the ship's papers shall render the vessel liable to detention and to be sent for adjudication before a competent Tribunal.

être munis de papiers constatant le voyage ou service auquel il est affecté, ainsi que le nombre et la description des esclaves qui se trouvent à bord. Si le nombre d'esclaves d'Afrique qui se trouveraient à bord était plus considérable que celui autorisé par les papiers de bord, le navire sera susceptible d'être détenu et renvoyé par devant un Tribunal compétent pour y être jugé.

ARTICLE 7.

"His Majesty the Emperor of the Ottomans engage to take the necessary measures and to issue the necessary orders for giving effect to the present Convention.

ARTICLE 7.

"Sa Majesté l'Empereur des Ottomans s'engage à prendre les mesures et de donner les ordres nécessaires afin que la présente Convention soit rigoureusement exécutée.

ARTICLE 8.

"The present Convention shall be ratified, and the ratifications shall be exchanged at Constantinople as soon as possible.

"The present Convention shall come into operation six months after the date of its signature.

"In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

"Done at Constantinople this twenty-fifth day of January, one thousand eight hundred and eighty."

ARTICLE 8.

"La présente Convention et les ratifications seront échangées à Constantinople le plutôt que faire se pourra.

"La présente Convention entrera en vigueur six mois après le jour de la signature.

"En foi de quoi les Plénipotentiaires repectifs ont signé le même, et y ont opposé les sceaux de leurs armes.

"Fait à Constantinople ce jourdhui 25 janvier, mille huit cent quatre vingt."

And whereas it is expedient that the said Treaty, or Convention, should be brought within the operation of "The Slave Trade Act, 1873":

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf as aforesaid, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

The said Treaty, or Convention hereinbefore recited shall, from the said 25th day of January, 1880, being the day of the date thereof, be deemed to

have been and to be an existing Slave Trade Treaty, within the meaning of the "The Slave Trade Act, 1873."

And the Lords Commissioners of Her Majesty's Treasury, the Right Honourable the Earl Granville, one of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein as to them may respectively appertain.

C. L. PEEL.

No. XIII.

ENGAGEMENT for the EXTENSION of a TELEGRAPH LINE from BAGDAD to BUSSORA and to KHANAKEEN—1863.

TRANSLATION.

Consequent upon the exchange of notes which has taken place between the Embassy of Her Britannic Majesty and the ministry of Foreign Affairs of His Majesty the Sultan on the subject of the extension of the line above ground from Bagdad to Bussora and to Khanakeen, with the object of connecting by two different lines the Indian telegraphs with the telegraphic net-work of Europe, the Ambassador of Her Britannic Majesty at the Sublime Porte and the Minister of Foreign Affairs of Sultan, with a view to this, have decided on the following arrangement:—

ARTICLE I.

The Ottoman Government will extend at its own expense—

1. The line above ground from Bagdad to Bussora.

2. It will construct a line above ground from Bagdad to Khanakeen on the Persian frontier. These two lines shall consist of two wires, of which the one shall be kept exclusively for direct messages.

PROTOCOL.

A la suite d'un échange de notes qui a eu lieu entre l'Ambassade de Sa Majesté Britannique et le Ministre des Affaires Etrangères de Sa Majesté le Sultan, au sujet de la prolongation de la ligne aérienne de Bagdad jusqu'à Bussora et Khanakain, dans le but de relier par deux lignes différentes les télégraphes Indiens au résean télégraphique de l'Europe, l'Ambassadeur de la Reine de la Grande Bretagne près la Sublime Porte et le Ministre des Affaires Etrangères du Sultan, en vue d'assurer la réalisation de ces entreprises, ont arrêté l'arrangement suivant:—

ARTICLE I.

Le Gouvernement Ottoman fera prolonger à ses frais:—

1. Le ligne de Bagdad à Bussora.

2. Il construira une ligne aérienne de Bagdad jusque'à Khanakain, sur la frontière Persane. Ces deux lignes seront à deux fils, dont l'un sera destiné au service exclusif des messages directs.

ARTICLE 2.

The Indian Government, on its side, at its own cost, shall carry the Indian sub-marine cable, which joins at Bushire, either to Bussora or to some other point at the mouth of the Shat-el-Arab, which shall be designated later, and which shall be connected with the line above ground.

ARTICLE 3.

The Indian Government besides shall furnish to the Ottoman Government all the necessary materials, including the poles of iron, for the construction of the two lines above ground before mentioned.

The two telegraphic Engineers who are already at Bagdad, as also the Inspector and the four sub-officers of the British Engineers who are soon expected to arrive in that city, shall be placed at the disposal of the Ottoman Authorities to cooperate in the construction of these lines.

ARTICLE 4.

The Ottoman Government shall pay for the materials thus furnished by the Indian Government with the money received for telegraphic messages from India, which shall traverse the line of the extreme European frontier of the Ottoman Empire, be it to Bussora or as far as Khanakeen according to a special arrangement which the two governments reserve to themselves to establish, to determine the mode and the period of the payment of the price of these materials.

ARTICLE 2.

Le Gouvernement Indien portera de son côté à ses frais le câble sousmarin Indien, aboutissant à Bushire, soit à Bussora soit à un autre point quelconque de l'embouchure du Shat-el-Arab, qui sera désigné plus tard, et qui sera relié à la ligne aérienne.

ARTICLE 3.

Le Gouvernement Indien fournira en outre au Gouvernement Ottoman tous les matériaux nécessaires, y compris les poleaux en fer, pour la construction des deux lignes aériennes ci-dessus indiquées.

Les deux Ingénieurs télégraphiques qui se trouvent déjà a Bagdad, ainsique l'Inspecteur et les quatre sous-officiers de génie Britannique qui sont attendus prochainement dans cette ville, seront mis à la disposition des Autorités Ottoman pour coöpérer à la construction de ces lignes.

ARTICLE. 4.

Le Gouvernement Ottoman payera les matériaux ainsi fournis par le Gouvernement Indien, sur la recette des messages télégraphiques Indiens, quitraverseront la ligne de l'extrême frontière Européenne de l'Empire Ottoman soit jusqu'à Bussora, soit jusq'à Khanakain, d'après un arrangement spécial que les deux Gouvernements se reservent d'établir pour determiner la mode et l'époque des versements du prix de ces matériaux.

The salaries of the Engineers to be paid by the Indian Government.

The materials which shall be furnished by the Indian Government shall be consigned on their arrival to the hands of the Ottoman Authorties, and a receipt given for them.

ARTICLE 5.

The Imperial Authorities shall immediately receive orders to begin the works upon the line from Bagdad to Bussora.

ARTICLE 6.

The sub-marine cable which is to meet the line above ground from Bagdad to Bussora shall be laid as soon as possible, in order to secure simultaneous operations.

ARTICLE 7.

As soon as this line shall have been completed, the Ottoman Government shall commence the line from Bagdad to Khanakeen, for which the Indian Government equally engages to furnish materials and Engineers on the same conditions as those which have been stipulated for the line from Bussora.

ARTICLE 8.

The Sublime Porte shall take care, if need be, to employ, for the working of these lines, persons acquainted with the English language.

La rétribution des Ingénieurs reste a la charge du Gouvernement Indien.

Les matériaux qui sont fournis par le Gouvernement Indien seront consignés à leur arrivée, entre les mains des autoritiés Ottomanes contre leur reçu.

ARTICLE 5.

Les autorités Impériales recevront l'ordre de faire commencer immédiatement les travaux de la ligne de Bagdad à Bussora.

ARTICLE 6.

Le cable sousmarin qui doi se relier à la ligne aérienne de Bagdad à Bussora devra être posé le plus tôt possible, afin d'en assurer le fonctionnement simultané.

ARTICLE 7.

Aussitot que cette ligne aura été achevée le Gouvernement Ottoman mettra la main à celle de Bagdad à Khanakain, pour laquelle le Gouvernement Indien s'engage à fournir également les matériaux et les Ingénieurs aux mêmes conditions qui ont été stipulées pour la linge de Bussora.

ARTICLE 8.

La Sublime Porte aura soin, selon la nécessité, d'employer pour le service de ces linges des personnes possédants la langue Anglaise.

ARTICLE 9.*

All the despatches addressed to or coming from India shall be equally divided between the line from Baghdad to Bussora on the one hand, and that of Khanakeen on the other.

To avoid all difficulty of execution, the application of this system of division shall be as follows :—

All despatches coming from India shall pass by the line from Khanakeen. On the other hand all those for India shall be sent by the line from Bagdad to Bussora.

ARTICLE 9.

Toutes les dépêches à destination ou provenant des Indes seront partagées à portion égale entre la ligne projetée de Bagdad à Bussora d'une part, et celle de Khanakain d'autre part.

Pour éviter toute difficulté d'exécution, l'application du partage aura lieu de la manière suivante :—

Toutes les dépêches provenant des Indes devront passer par la linge de Khanakain. Par contre toutes celles à destination des Indes traverseront la linge de Bagdad à Bussora.

ARTICLE 10.

The stipulation of Article 9 shall remain in force for ten years, at the end of which it can be revised by means of a new understanding between the two governments.

ARTICLE 10.

La stipulation de l'Article 9 sera en vigueur pendant dix ans, à l'expiration desquels il pourra être revisé moyennant une nouvelle entente entre les deux Gouvernements.

ARTICLE 11.

The two governments reserve to themselves the right to determine on and conclude a Telegraphic Convention on the basis of the Act of Brussels, which constitutes the International Law of Lines of Electric Telegraphs.

In faith of which the Ambassador of Her Britannic Majesty and the Minister for Foreign Affairs of His Imperial Majesty the Sultan have

ARTICLE 11.

Les deux Gouvernements se réservent le droit d'arrêter et de conclure une Convention Télégraphique sur les bases de l'Acte de Bruxelles, qui continue la Loi Internationale des Linges Electriques.

En foi de quoi, l'Ambassadeur de Sa Majesté Britannique et le Ministre des Affaires Etrangères de Sa Majesté Impériale le Sultan ont signés le

* On 9th December 1863 an additional Article was added to the Protocol, stipulating that instead of dividing the traffic equally between the Basrah and Khanakeen lines, messages should be forwarded indifferently by either line, and that payment should be calculated on the mean between 375 and 89 miles, the distances between Baghdad and Basah and Bagdad and Khanakeen respectively, so long as both lines are kept in efficient working order.

signed the present Protocol in duplicate and have annexed their Seals.

Done at the Sublime Porte the 20th day of October 1863.

FOR SIR HENRY BULWER.

L. S. E. M. ERSKINE.

L. S. ALI.

présent Protocole, en double expédition, et y apposé le sceau de leurs armes.

Fait à la Sublime Porte, le vingt mois d'Octobre, de l'an mil huit cent soixante trois.

POUR SIR HENRY BULWER.

L. S. E. M. ERSKINE.

L. S. ALI.

L. S. ———

L. S. ALI.

No. XIV.

TREATY between GREAT BRITAIN and TURKEY.—1864.

CONVENTION between GREAT BRITAIN and TURKEY for the establishment of TELEGRAPHIC COMMUNICATION between INDIA and the OTTOMAN TERRITORY. Signed in the ENGLISH and FRENCH languages at CONSTANTINOPLE, September 3, 1864.*

PROJET de la CONVENTION TÉLÉGRAPHIQUE INDO-OTTOMANE.

Her Majesty the Queen of the United Kingdom of Great Britai-

S. M. le Sultan et S. M. la Reine du Royaune Uni de la Grande

*Ratifications exchanged at Constantinople, October 31, 1864.

and Ireland, and His Majesty the Emperor of the Ottomans, being desirous to establish between their respective States telegraphic communications, by means of which India, connected by a sub-marine cable with the Ottoman territory at the mouth of the Shat-el-Arab, will be in telegraphic communication with Turkey, and consequently with all the other States of Europe, have agreed to conclude a Telegraphic Convention, and with that object have named as their Plenipotentiaries, that is to say.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Sir Henry Lytton Bulwer, a member of Her Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath and Her Majesty's Ambassador Extraordinary and Plenipotentiary to the Sublime Porte.

And His Majesty the Emperor of the Ottomans, His Highness Mehemed Emin Ali Pasha, Minister for Foreign Affairs, decorated with the Imperial Orders of the Osmanie of the Medjidie, and of Merit of the first class in brilliants, Grand Cross of several Foreign Orders;

Who, after having communicated to each other their full powers, found in good and due form, have agreed upon the following Articles:

ARTICLE I.

The Ottoman Government will continue, at its own cost, to the mouth of the Shat-el-Arab, the main telegraphic line of Asia now existing between Scutari of Constantinople and Baghdad, and will

Bretagne de l'Irlande désirant voir établir entre leurs Etats respectifs, des communications télégraphiques à la suite desquelles les Indes, reliées par un Cable sous-marin avec le territoire Ottoman à l'embouchure du Shat-el-Arab, se trouveront en communication électrique avec la Turquie et par consequent avec tous les autres Etats de l'Europe, sont convenus de conclure une Convention Télégraphique et ont à cet effet nominé pour leurs Plénipotentiaires.

S. M. le Sultan.....S. M. la Reine du Royaume Uni de la Grande Bretagne et d'Irlande.....lesquels après s'être communiqué leurs pleins pouvoirs trouvés en bonne et due forme sont convenu de ce qui suit.

ARTICLE I.

Le Gouvernement Ottoman prolongera à ses frais jusqu'à l'embouchure du Shat-el-Arab, la grande ligne télégraphique d'Asie existant actuellement depuis Scutari de Constantinople jusqu'a Bagdad, et reliera cette

connect the said main line, in the direction of Khanakeen, with the Persian land lines which communicate with the sub-marine cable at Bushire.

The maintenance and repairs of the said Ottoman lines will be at the charge of the Ottoman Administration.

ARTICLE 2.

On the other hand, the Government of India will lay down, at its own expense, a sub-marine telegraphic cable, which, starting from some point of the British Indian Empire and touching at Bushire, will terminate at the mouth of the Shat-el-Arab, where it will join the Ottoman land line.

The maintenance and repairs of this cable shall be at the expense of the Indian Administration.

ARTICLE 3.

His Majesty the Sultan authorises the establishment on Ottoman territory, at the mouth of the Shat-el-Arab, of a British telegraph office, with a staff, which shall not exceed in number 50 persons placed under the exclusive orders of a British station-master, and which, as well as the apparatus and all the instruments requisite for working the sub-marine line, shall be at the expense of the British Government.

ARTICLE 4.

The aforesaid British office shall be located in the same building occupied by the Ottoman station at the mouth of the Shat-el-Arab, with a view to facilitate the combined operations of the common service.

grande ligne dans la direction de Khannikeen aux fils aëriens persans qui seront en communication avec le Cable sous-marin à Bushire. L'entretien et les réparations de cette ligne seront à la charge de l'Administration Ottoman.

ARTICLE 2.

Le Governement des Indes posera de son côté à ses frais un câble télégraphique sous-marin partant d'un point quelconque de l'Empire Britannique des Indes et touchant à Bushire, qui aboutira à l'embouchure du Shat-el-Arab où il sera relié à la ligne aërienne Ottomane. L'entretien et les réparations de ce cable seront à la charge de l'Administration Indienne.

ARTICLE 3.

S. M. le Sultan autorise l'établissement sur le territoire Ottoman à l'embouchure du Shat-el-Arab d'un Bureau télégrapique Britannique, dont le personnel sera placé exclusivement sous les ordres d'un chef de Station Britannique et sera à la charge du Gouvernement Britannique, ainsi que les appareils et tous les instruments requis pour le fonctionnement de la ligne sous-marine.

ARTICLE 4.

Le susdit Bureau Britannique sera placé dans le même local occupé par la Station Ottomane établie à l'embouchure du Shat-el-Arab, de façon à faciliter les opérations combinées du service mixte.

The apparatus of the Ottoman service and that of the British service at that joint station shall be placed in separate compartments, but in close proximity to each other, and shall not be connected.

The exchange of messages shall take place immediately on their receipt, the officers handing them to each other through a window, and the service of the British and Ottoman offices shall be permanent. The rent and cost of maintenace of the mixed telegraphic station shall be shared in equal proportions by the British and Ottoman Administrations.

Les appareils du service Ottoman et ceux du service Britannique de cette Station mixte, seront placés dans des compartiments separés, mais à proximité l'un de l'autre, et ne seront pas reliés entr'eux. L'échange des dépêches, se fera immédiatement après receptions entre les employés par un guichet de la main à la main, et le service de ces deux Bureaux Ottoman et Britannique sera permanent.

Le loyer et les frais d'entretien de la Station télégraphique mixte seront supportés par les Administrations Ottomane et Britannique en parties égales.

ARTICLE 5.

It is well understood that the active service of the British office on Ottoman territory shall be limited to the receipt and delivery by hand to the Ottoman office of the messages arriving from India by the submarine cable; to the transmission of those which are delivered to it by the Ottoman office; and, lastly, to the superintendence and maintenance of a safe and regular submarine communication between the mouth of the Shat-el-Arab and India.

The direction-in-chief of the mixed station shall devolve on the Ottoman Administration, but without the right of interfering in the internal administration of the British office.

ARTICLE 5.

Il demeure bien entendu que le service actif de ce Bureau Britannique sur le territoire Ottoman, est restreint à la reception et à la remise de main en main au Bureau Ottoman des dépêches arrivant des Indes par le Câble sous-marin, à la transmission de colles qui lui seront remises par le Bureau Ottoman, et en dernier lieu à la surveillance et à l'entretien d'une communication sous-marine sûre et régulière entre l'embouchure du Shat-el-Arab et les Indes. La haute direction de la Station mixte, est acquise à l'Administration Ottomane.

ARTICLE 6.

In order to ensure promptitude in the Indo-European correspondence and its regular transmission and receipt, the Ottoman Govern-

ARTICLE 6.

Dans le but d'assurer la promptitude des correspondances Indo-Européennes et leur transmission et reception règulières, le Gouvernement

ment will not fail to establish a permanent service at Baghdad and Fao, as well as at the majority of stations on the main line of Asia between Constantinople and Fao and to appoint thereto a staff possessing a knowledge of the English language sufficient for the perfect performance of that important service.

Moreover, the Ottoman Government being desirous that the expeditious transit of the Indo-European messages over its territory should be rendered still more satisfactory, engages to establish at Constantinople an office of tranmission devoted exclusively to the service of messages to and from India. Its officers, and especially the station master, shall be selected from those of the Ottoman telegraph officials who are thoroughly conversant with the English language.

ARTICLE 7.

The Ottoman Government will take the necessary measures to secure that one wire of the main line from Constantinople to Fao shall be always exclusively devoted to Indo-European messages. In case this wire should get out of order, or in case of a press of traffic, the official Indo-European messages may be forwarded by one of the wires intended for local traffic, but after the official despatches of the Ottoman Government. In that case private Indo-European despatches shall be forwarded together with private messages already deposited at the office and in alternative order with those messages, whatever may have been the hour at which the latter may have been deposited.

Ottoman aura soin d'établir un service permanent à Baghdad, Khannikeen, et Bussorah, et dans la plupart des stations mises sur la grande ligne d'Asie depuis Constantinople jusq'à Bussorah, et d'y instiuter autant que possible, un personnel possédant la connaissance de la langue Anglaise.

En outre, le Gouvernement Ottoman, désirant que l'éoulement rapide des missives Indo-Européenes ait lieu sur son territoire à un degré encore plus satisfaisant, établira à Constantinople un bureau de translation affecté exclusivement au service des dépêches de la provenance ou destination Indienne. Les employés de ce bureau et particulièrement le chef de Station seront choisis parmi les fonctionnaires du Télégraphe Ottoman, connaissant parfaitement la langue Anglaise.

ARTICLE 7.

Le Gouvernement Ottoman prendra les dispositions necessaires pour qu'un fil de la grande linge de Constantinople à Bussorah reste toujours exclusivement au service des dépêches Indo-Européennes. En cas de dérangement ou d'un encombrement de dépêches de ce fil, les dépêches Indo-Européennes pourront encore s'écouler, mais après les dépêches officielles du Gouvernement Ottoman par un des fils affecté au service de la correspondance de l'Intérieur.

ARTICLE 8.

The Convention of Brussels, of June 30, 1858,* in all that relates to the details of the telegraphic service, shall be mutually observed by the two Contracting Governments in so far as it is not opposed to the terms of the present Convention.

ARTICLE 8.

Les deux Gouvernements contractans s'obligent à appliquer dans leurs rapports télégraphiques réciproques relativement à la manipulation des dépêches, à leur taxation et aux détails du service télégraphique en général, les règles prescrites par la Convention de Bruxelles du 30 Juin 1858, et de l'Instruction qui en fait partie, ainsi que des modifications qui pourraienty être apportées à l'avenir avce l'assentiment du Gouvernement Britannique par les signataires de cette Convention dont la copie est annexée ci-jointe, pour faire partie intégrante de la présente convention.

ARTICLE 9.

It is agreed between the High Contracting Parties that the rates for Indo-European messages sent by the Ottoman lines in Asia throughout their whole extent from Constantinople to Fao, or to the Persian frontier in the direction of Khanakeen, and *vice versâ*, shall not exceed the limit of 27½ francs for a single message sent from Constantinople to Fao, or *vice versâ*, and of 22½ francs for a single message sent from Constantinople to Khanakeen, or *vice versâ*, as also that the rates for messages traversing the whole sub-marine line from India to Fao, or to Bushire, and *vice versâ*, shall not exceed the limit, for the former of 62½ francs, for each single despatch, and for the latter, of 50 francs.

ARTICLE 9.

Il est convenu entre les hautes parties contractantes que la taxe des dépêches Indo-Européennes transitant par les lignes Ottomanes d'Asie sur tout leur parcours de Constantinople à Bussorah ou à la frontière persane dans la direction de Khannikeen et vice versâ ne dépassera pas la limite de vingt-cinq francs pour une dépêche simple, et même que les taxes des dépêches traversant toute la ligne sous-marine depuis les Indes jusqu'à l'embouchure du Shat-el-Arab ou jusqu'à Bushire ne dépasseront pas—les premières la somme fr. 62·50—pour dépêche simple,—et les secondes celle de fr. 50.

ARTICLE 10.

The administrations of the two Contracting Governments will com-

ARTICLE 10.

Les administrations des deux Gouvernements contractants se communi-

* For Convention between Belgium, France, and Prussia, see State Papers, Vol. 57, page 1905.

cate to each other, with the least possible delay, the tariff of their stations and frontiers, in so far as they may have reference to the Indo-Ottoman frontier of Fao. According to that tariff the rates shall be mutually accounted for in the monthly accounts of messages exchanged between the two administrations at the aforesaid frontier of Fao.

ARTICLE 11.

The mutual account for telegraphic rates, expenses of postage, and of expresses, etc., shall be checked at the expiration of every month and settled quarterly. The liquidation and payment of the surplus which may be due to either administration shall take place at the close of each quarter. The accounts of each administration shall enumerate only the rates in debit: they shall be drawn up by the Ottoman Administration in francs and centimes, the total being reduced to shillings and pence; and by the British administration in shillings and pence, the total being reduced to francs and centimes. The reduction of these sums shall be calculated at the rate of—

1 pound sterling	= 25 francs.
1 shilling	= 1 franc, 25 centimes.
1 penny	= 10 centimes.

ARTICLE 12.

The balance which may accrue from the quarterly liquidation, in favour of one or other of the administrations, may be paid either in Turkish pounds, in pounds sterling, or in 20-franc pieces. Should the balance be in favour of the Indian Administration, payment

queront réciproquement dans le plus bref delai possible le tarif de leurs stations et frontières par rapport à la frontière Indo-Ottomane de Bussorah. C'est d'après ce tarif que les taxes devront être bonifiées reciproquement dans les comptes mensuels des dépêches échangées entrs les deux administrations par la susdite frontière de Bussorah.

ARTICLE 11.

Le compte réciproque des taxes télégraphiques, des frais de poste d'exprès, etc., sera clôturé a l'expiration de chaque mois et reglé tous les trois mois.

La liquidation et le paiement du montant resultant en faveur de l'une ou de l'autre administration, se fera à la fin de chaque trimestre.

Les comptes de chaque administration ne comprendront que les taxes en débit; ils seront dressés par l'administration Ottomane en francs et centimes avec réduction des sommes totales en shillings et pence, et par l'administration Britannique en shillings et pence avee réduction des sommes totales en francs et centimes.

La réduction de ces sommes se fera à raison de

1 Livre sterling . .	25 francs.
1 Shilling . . .	1 fr. 25
1 Penny . . .	10

ARTICLE 12.

Le solde resultant de la liquidation trimestrielle en faveur de l'une on de l'autre administration pourra être payé, soit en livres Turques soit en livres sterling, soit en pièces de 20 francs. Si le solde resulte en faveur de l'administration Indienne, le paiemen se fera, de la part de la Turquie, entre

shall be made by Turkey into the hands of the delegate of that Administration at Constantinople; and should it be in favour of the Ottoman Administration, payment shall be made by the aforesaid delegate to the Director-General of the Ottoman Telegraphs.

ARTICLE 13.

In order to facilitate and accelerate the operations relating to the reciprocal settlement of the quarterly accounts with the Central Administration of Ottoman telegraphs, the Indian Government shall be entitled to appoint a delegate to reside at Constantinople, the seat of that administration. The Ottoman Government shall likewise be entitled to name a delegate for the same purpose, to reside at the seat of the Central Telegraphic Administration of the Indian Government. The respective delegates shall be entitled to receive from the respective Central Administrations all the information and explanations which they may require.

ARTICLE 14.

All messages to or from India may be forwarded indifferently, as may be most convenient for the service, either by the line of Bussorah or by that of Khanakeen.

ARTICLE 15.

It is well understood that the Ottoman Government shall be in account current and shall have direct administrative relations with the Government of India in respect to all messages, whether sent by

les mains du délégue de cette administration à Constantinople, et s'il resulte en faveur de l'Administration Ottomane, le paiement se fera par le délégué susmentionné, à la Direction Générale des Télégraphes Ottomans.

ARTICLE 13.

Dans le but de faciliter et d'accélerer les opérations concernant le règlement réciproque des Comptes Trimestriels avec l'Administration Centrale des Télégraphes Ottomans, le Gouvernement Indien pourra entretenir un délégué à Constantinople où se trouve le siége de la dite administration. De même le Gouvernement Ottoman pourra nommer pour le même objet un délégué auprès de l'Administration Télégraphique Centrale du Gouvernement de l'Inde.

Les délégués respectifs pourront obtenir auprès des administrations centrales respectives, tous les renseignements et les eclaircissements dont ils peuvent avoir besoin.

ARTICLE 14.

Toutes les dépêches en destination ou provenant des Indes pourront être expediées indifferement selon la convenance du service, soit par ligne de Bussorah, soit par celle de Khannikeen.

ARTICLE 15.

Il demeure bien entendu que le Gouvernement Ottoman ne sera en compte courant et en rapports administratifs directs avee le Gouvernement des Indes que pour les dépêches s'écoulant par la frontière

the frontier of Fao or by the Persian route of Khanakeen. Thus the two Contracting Governments shall not be in account current, and shall not have direct administrative relations with Persia,* except in respect to payment for those messages only which shall have traversed the Persian lines; so that, as regards Indo-European messages, the two High Contracting Parties shall only account to the Persian Government for the amount due to it for their transit along the Persian lines between Khanakeen and Bushire.

de Bussorah; pour celles transitant le territoire Persan, chacun des deux Gouvernements contractants ne sera en compte courant et n'aura des rapports administratifs directs qu'avec le Gouvernement Persan.

ARTICLE 16.

The present Convention shall come into operation as soon as the submarine cable shall be in communication with the land lines of Turkey and of India, and shall remain in force for three years from the day on which the ratifications are exchanged. Nevertheless, the High Contracting Parties may introduce into it, according as necessity may require, such modifications as may be considered by common agreement to be useful and indispensable.

At the end of three years the present Convention shall be deemed to be in force for an indefinite term, and until the expiration of six months reckoning from the date on which either of the Parties shall have made known to the other its intention to put an end to the same.

ARTICLE 16.

La présente Convention sera mise en exécution aussiôt que le Câble sous-marin sera en communication avec les lignes de terre et de la Turquie et des Indes, et demeurera en vigueur pendant trois ans à partir du jour de l'échange des ratifications. Toutefois les hautes parties contractantes pourront y apporter au fur et à mesure que le besoin se fera sentir les modifications qui seraient d'un commun accord jugées utiles et indispensables. Le terme de trois ans expiré, la présente convention sera considerée comme étant en vigueur pour un temps indeterminé et jusqu'à l'expiration de six mois à compter du jour où la denonciation en sera faite d'une part ou d'une autre.

*For Treaty between Turkey and Persia, of 28th November 1863, see State Papers, Vol. 57, page 1342.

ARTICLE 17.

The present Convention shall be ratified, and the ratifications shall be exchanged at Constantinople as soon as possible.

Done at Constantinople, on the 3rd day of September 1864.

(L.S.) HENRY LYTTON BULWER.

(L.S.) A. ALI.

ARTICLE 17.

La présente Convention sera ratifiée et les ratifications seront échangées à Constantinople dans le plus bref délai possible.

Fait à Constantinople.

S. PORTE,

le 17 Fevrier 1864.

PART II.

TREATIES, ENGAGEMENTS, AND SANADS

relating to

ADEN AND SOUTH COAST OF ARABIA.

I.—ADEN.

ON the expulsion of the Turks in 1630, the greater part of southern Arabia fell into the hands of the Imams of Sanaa. About 1730 the latter were, in turn, expelled from Aden and other districts by the native Arab tribes, who assumed independence.

The tribes in this region coming within the sphere of British influence are the Abdali, the Subaihi, the Akrabi, the Fadthli, the Haushabi, the Aulaki (upper and lower), the Yafai (upper and lower), the Amir of Dthali, the Alawi, the Wahidi, the Kathiri, the Kayti, the Mahri, and the tribes of the district of Behan al Kasab.

(*1*) *The Abdali.*

The district inhabited by this tribe is known as Lahej, and their Chief as Sultan of Lahej ; the boundary on the west is undefined, the north-east boundary runs from Al Anad to near Bir Uwaidain, and thence towards Imad, leaving a strip of land on the sea-coast belonging to the Fadthli, and meeting the eastern British limit. [See the Shaikh Othman Agreement of 1882 (No. XXIV).]

The Abdali are the most civilised, but least warlike, of all the tribes in south-western Arabia.

The first political intercourse with the Chiefs of Aden took place in 1799, when a naval force was sent from Great Britain, with a detachment of troops from India, to occupy the island of Perim and prevent all communication of the French in Egypt with the Indian Ocean, by way of the Red

Sea. The island of Perim was found unsuitable for troops, and the Sultan of Lahej, Ahmad bin Abdul Karim, received the detachment for some time at Aden. He proposed to enter into an alliance, and to grant Aden as a permanent station, but the offer was declined. A Treaty (No. XV), however, was concluded with the Sultan in 1802 by Admiral Sir Home Popham, who was instructed to enter into political and commercial alliances with the Chiefs on the Arabian coast of the Red Sea.

From that time there was little or no intercourse with Aden till 1837, when attention was drawn to the plunder and maltreatment of the crews of British vessels wrecked on the Aden coast. The most notable case was the plunder of the *Deria Dowlut*, the crew of which were stripped and most barbarously treated. Captain Haines, who was then employed in the survey of the Arabian coast, was instructed to demand satisfaction. He was at the same time to endeavour to purchase Aden as a coaling depôt for the steamers plying between India and the Red Sea. Sultan Mohsin, who had succeeded his uncle, Sultan Ahmad, in 1827, at first denied all participation in the plunder, but finding the British Commissioner firm in his demands, he eventually consented to give up part of the property, and pay compensation for the rest. A draft treaty for the cession of Aden was laid before the Sultan, to which he verbally gave his consent and promised formally to agree after consulting his Chiefs. In this draft the amount of compensation to be paid for Aden was left undetermined, but it was afterwards arranged that an annual payment of 8,700 crowns should be made. On the 22nd January 1838 Sultan Mohsin sent a letter under his seal,* engaging, after two months to make over Aden, but stipulating that the Sultan's authority over his people in Aden should be maintained after the cession. To the continuance of the Sultan's jurisdiction the British Agent objected. The Sultan replied that he was willing to abide by the terms first offered, but if these were not accepted, his letter of the 22nd January should be returned to him. Negotiations were at this stage when a plot was laid by Ahmad, the Sultan's son, to seize the Agent and rob him of his papers. Delivery of the property stolen from the wreck of the *Deria Dowlut* was also refused ; preparations

* At pages 282 and 283 of a Collection of Treaties, published by Mr. Hughes Thomas in 1851 under the authority of the Government of Bombay, an extract from a letter of the Sultan of Lahej, dated 23rd January 1838, is given, which purports to complete and conclude the transaction for the transfer of Aden to the British Government. The facts, however, are, as stated in the text, that in the sequel of the letter the Sultan desired that the negotiations should be broken off if his jurisdiction in Aden were not admitted; and the bargain, owing to the subsequent course of events, was never concluded. The title of the British Government to Aden rests exclusively on conquest, and not on purchase.

were therefore made to coerce the Sultan. On the 19th January 1839 Aden was bombarded and taken, and the Sultan and his family fled to Lahej. On the 2nd February peace was made (No. XVI) in the Sultan's name by his son-in-law, and on the 18th June the Sultan himself signed a Bond (No. XVII), engaging to maintain peace and friendship with the British Government, who agreed to pay him and his heirs 6,500 dollars a year, and likewise to pay the stipends which the Sultan was bound to give to the Fadthli, Yafai, Haushabi and Amir tribes. Peace, however, was soon after broken by an unsuccessful attempt which Sultan Mohsin made in November 1839 to retake Aden, and the payments were therefore stopped. A second attack made in May 1840 was also unsuccessful, and the repulse of a third attack in July of the same year completely disheartened the Arabs for a time. In 1843 Sultan Mohsin came to Aden and sued for peace. An Engagement (No. XVIII) was made on the 11th February 1843, which the British Government considered in the light of an agreement to be observed between the Political Agent and the Sultan, but not of a treaty to be formally ratified. In February 1844, a monthly stipend of 541 dollars was restored to the Sultan with a year's arrears, and, before paying it, another Agreement (No. XIX) was taken from him, binding him faithfully to observe his engagements.

Sultan Mohsin died on the 30th November 1847, leaving nine sons. He was succeeded by his eldest son, Ahmad, who died on the 18th January 1849, when his next brother, Ali bin Mohsin, succeeded. Shortly after his accession to power, a Treaty (No. XX) of peace, friendship and commerce, which was under negotiation with his predecessor, was concluded with him. Among its other provisions, this treaty stipulated for the restoration of the monthly stipend which had been stopped in consequence of the share taken by the late Chief, Sultan Mohsin, in an attack on Aden in August 1846.

Relations with the new Chief remained on a fairly satisfactory footing till 1857, when, taking umbrage at some fancied wrongs, he entered upon a course of open hostility to the British Government. He was completely defeated by an expedition which marched against him in 1858, and the peace which followed remained unbroken till his death in 1863.

His son, Fadthl (Fazl) bin Ali, was elected by the tribes and elders to succeed him in the government, but no sooner had he assumed the management of affairs than intrigues were set on foot by other members of the family with a view to his displacement. Ultimately an arrangement was effected through the mediation of the Resident at Aden and with the consent of the young Chief, by which he was succeeded in the government of the country by his

uncle, Fadthl bin Mohsin, fourth son of Sultan Mohsin. For the assistance rendered by Sultan Fadthl bin Mohsin in supplying forage and means of transport for the troops employed against the Fadthli tribe in 1865, he was presented with 5,000 dollars.

In 1867 the Chief consented (No. XXI) to the construction of an aqueduct for the supply of water from the Shaikh Othman wells to Aden, a distance of six miles.

In 1873, in consequence of repeated applications by the Sultan of Lahej for the protection of the British Government against the Turks, who had demanded his submission, had occupied a part of Zaida and Shakaa, and had sent troops to support his rebellious brother Abdulla, a force of British and Native infantry with three guns marched to Al Hauta, the capital of Lahej, to protect the Sultan. After some negotiations the Turkish troops evacuated Lahej and Shakaa, and the Sultan's two brothers and nephew surrendered unconditionally, and were conveyed as State prisoners to Aden, while their forts were dismantled. They were subsequently released and retired to Mokha. Sultan Fadthl bin Mohsin died in July 1874, and was succeeded by his nephew, Fadthl bin Ali, who had resigned the Chiefship in his favour in 1863. The payment of the usual annual stipend of 6,492 dollars was continued to the latter, the amount being increased in 1882 to 19,692 dollars (*See* No. XXIV).

In July 1881 an Agreement (No. XXII) was concluded between the Abdali and the Haushabi, by which a portion of the Zaida lands taken from the latter tribe in 1873 was restored to them, and a cause of constant mutual irritation was thus effectually removed. In 1881 the Abdali entered into an Agreement (No. XXIII) by which the Subaihi were placed under their control, the stipends previously received by the latter being made payable to the Abdali.

On the 7th of February 1882, by a Treaty (No. XXIV) with the Abdali Sultan, arrangements were made for the purchase, by the British Government, of some 35 square miles of territory attached to Shaikh Othman, between the Hiswa and Imad; the salt-pits at Shaikh Othman and the aqueduct between that place and Aden at the same time became British property. Between May and July 1886 the Abdali Chief made repeated complaints of the hardships entailed by the Subaihi agreement, from which he wished to withdraw entirely. In August he reported that one of his garrisons had been massacred, and that all the others were surrounded by the Subaihi, and craved assistance in rescuing them. The Resident despatched 50 sabres of the Aden troop (which had been raised in 1865 for police purposes) to support him, and also lent him rifles and ammunition. These proceedings resulted in the safe

withdrawal of the garrisons; but from this date the Subaihi agreement became practically inoperative, and the various Subaihi tribes resumed their old position of independent relations with the Aden Residency.

At the close of 1886 the Abdali bought back from the Haushabi the lands referred to in the Zaida Agreement (*See* No. XXII), and the Resident thereupon intimated to both Chiefs that articles 1 and 2 of that agreement were held to be cancelled, with the exception of the words permitting the Haushabi to erect a house at Al Anad.

In 1894 owing to the heavy taxes levied on Kafilahs by the Haushabi Sultan, the Abdali entered the former's territory and Sultan Mohsin bin Ali fled. He was repudiated by his Chiefs and at their request Sultan Fadthl bin Ali made suitable arrangements for administering their country and protecting the trade routes. The *ex*-Haushabi Sultan eventually gave himself up at Lahej and on the 6th August 1895 signed an Agreement (No. XXV) by which his territory was restored to him under certain guarantees.

On 19th December 1895 the Sultan's salute was increased from 9 to 11 guns as a personal distinction.

On 27th April 1898 Sultan Fadthl bin Ali died. He was succeeded by his cousin, Ahmad Fadthl, to whom the payment of the usual annual stipend was continued.

In April 1899, owing to continual robberies by the Subaihis, the Abdali were given permission to occupy Ras al Arah, Turan, and Am Rija in the Subaihi country. In November the Abdali raised a force against the Atifi in consequence of an attack made by the latter on Dar al Kodemi. The Atifi then submitted. In 1902 the Sultan again raised a force to suppress the Subaihi. After a few skirmishes he returned to Lahej.

On the 1st November 1901 he was appointed a Knight Commander of the Star of India.

The Sultan attended the Darbar which was held at Delhi on 1st January 1903.

The gross revenue of the tribe is estimated at Rs. 1,00,000 a year, and the population amounts to about 18,000.

The Sultan of Lahej is entitled to a salute of 9 guns, which was formally gazetted on the 1st January 1877.

(2) *The Subaihi.*

The large tribe of the Subaihi occupy the country bordering on the sea from Ras Imran to Bab al Mandeb. They owe allegiance to no

paramount Chief, but are divided into a number of petty clans. They have a high reputation for courage, but it is dimmed by their character for treachery and love of plunder. After the capture of Aden several Engagements (No. XXVI) were arranged in 1839 with the Chiefs of this tribe. Until 1871 the only Chiefs enjoying stipends from the British Government were the heads of the Dubaini and Rajai clans. In that year the Mansuri clan attacked and plundered a caravan coming into Aden. A detachment of the Aden troop, which had been raised in 1865 for police purposes, was despatched against them, and an action ensued in which one of the Chiefs and most of his party were killed. Eventually, in 1871, the Subaihi Chiefs came into Aden and tendered their submission; they also entered into Engagements (No. XXVII) to preserve the peace of the roads; to restore plundered property; and to abolish transit duties and taxes on the roads passing through their territories, in return for monthly stipends.* An additional Engagement (No. XXVIII) was also signed in 1871 by the Mansuri Chief, by which he admitted his responsibility for the good behaviour of the Kuraisi.

A separate Engagement (No. XXIX) was made in 1871 with the Atifi subdivision of the tribe, by which they agreed to afford protection to shipwrecked seamen of any nation, and to protect and send to Aden deserters from the garrison and shipping.

An expedition despatched in 1878 by sea and land was successful in putting a stop, for the time, to the depredations committed by the Barhemi, a sub-tribe of the Subaihi, but on the recrudescence of disorder the whole tribe was put under the control of the Abdali (*see* The Abdali, Agreement No. XXIII). In 1886, however, as detailed above in the account of the Abdali, the Subaihi agreement became inoperative, the various Subaihi tribes resumed their old position of independent relations with the Aden Residency, and their stipends were restored to them.

In 1889 Protectorate Treaties (Nos. XXX and XXXI) were made with the Atifi and Barhemi. These were ratified on the 26th February 1890.

In April 1899, owing to continual robberies by the Subaihis, the Abdalis were given permission to occupy Ras al Arah, Turan, and Am Rija. In November the Atifi attacked an Abdali post, but when the Abdali collected a large force the Atifi submitted.

In 1900 Muhammad Saleh Jaffer, the late Native Assistant Resident, took refuge among the Mansuris and Makhdumis and incited them to plunder.

In 1902 the Abdali collected a large force and several skirmishes took place in Subaihi country. The Subaihi continued to plunder during 1904.

* The Mansuri $25, Makhdumi $30, and Rajai $40.

In March 1904 Captain Warneford was murdered at Am Rija on his way to join the commission as political officer. By May the boundary was demarcated. No opposition was experienced from any tribe, except the Khalifi, Atawi, and Jazeri.

A postal sowar carrying Government mails was shot by a raiding party of Atifis near Shaikh Othman in January 1906. The greater part of the mails were recovered, but the tribe, failing to surrender the offenders as they were called upon to do, were prohibited from entering Aden and payment of their stipend was suspended.

Saleh Ba Haidara the Rijai, murderer of Captain Warneford, was shot by a dependant of the Mansuri Shaikh in March 1906.

The gross revenue of the tribe is estimated at Rs. 5,000 a year, and the population at 19,500.

(3) *The Fadthli.*

The Fadthli, with whom an Engagement (No. XXXII) was concluded by the British Government in July 1839, after the capture of Aden, are one of the most powerful and warlike tribes near Aden. Their possessions lie to the north-east of that settlement, and extend for a hundred miles along the coast from the eastern limits of the Abdali near Imad to the western boundary of the Aulaki at Makatin. The Sultan of Lahej for many years paid annual subsidies to the neighbouring tribes, including the Fadthli, through whose territory the trade of the country passed, and these payments were at first continued by the British Government on condition of the Chiefs remaining in friendly alliance. Owing to the weakness, however, of the character of Sultan Ali bin Mohsin of Lahej, through whom it was the early policy of the British Agent to transact all business with the Arabs of the country round Aden, the neighbouring tribes ventured for some years to perpetrate a series of atrocities upon individual British officers and others, which the Sultan was quite unable to prevent or punish. His efforts, indeed, to procure compliance with the demands of the British Government for satisfaction for these outrages, brought on him the hostility of his rivals, the Fadthli tribe, who had sheltered some of the murderers, and who endeavoured to stir up the neighbouring tribes to hostility with the British. The stipend of the Fadthli Chief, which had been assigned to him by the engagement of 1839, was stopped till he should expel the criminals who had taken refuge with him. This he did, and on the restoration of his stipend, he voluntarily signed an Agreement (No. XXXIII) to protect the roads from Aden through his territory.

But the inability of the Sultan of Lahej to prevent or punish crimes committed by the adjacent tribes necessitated a change in the policy of dealing with them and the commencement of intercourse with their Chiefs direct, instead of through the Sultan as medium.

For some years after the introduction of this system the conduct of the Fadthli Chief, Ahmad bin Abdulla, was satisfactory. By his behaviour at the wreck of the *Statelie* in January 1864 he earned the approbation of the British Government, but soon afterwards, either from dissatisfaction at the amount of the reward granted to him for his services on this occasion, or out of jealousy at the intimacy of British relations with the Sultan of Lahej, he resumed his attitude of persistent hostility. Within gunshot of the fortifications of Aden he plundered a caravan, and assembled a large force with the object of destroying the crops of the Abdali, and defying the authority of the British Government.

A small body of troops was accordingly despatched against him in December 1865; he was defeated and compelled to seek safety in flight, while the troops entered the Fadthli country and destroyed several villages. The seaport of Shukra was at first spared, in hopes that the punishment already administered would prove sufficient; but some further outrages having been perpetrated by the Fadthli, another expedition left Aden, destroyed the forts inland, and returned within three days, thus showing the Fadthli that they could be approached by land or by sea with equal facility. It was decided that either the Chief or his son should enter Aden and tender unconditional submission before friendly relations could be resumed. All other overtures were declined, and in March 1867 a letter was received from the Chief stating his wish to send his elder son to tender the submission of the tribe. A safe conduct was granted, and finally a Treaty (No. XXXIV) embodying the prescribed terms, was signed by the Chief in 1867, the Resident agreeing on the part of the British Government that the past should be forgotten.

This treaty has been authoritatively declared to be the only one now in force. In accordance with article 4, a relation of the Chief was deputed to reside in Aden as a permanent hostage; but on his death in 1870, this article was allowed to remain in abeyance. Shortly after the ratification of the treaty of 1867 the stipend of the Fadthli Chief was raised from 30 dollars to 100 dollars a month. Sultan Ahmad bin Abdulla died in February 1870, and was succeeded by his eldest son, Haidara, who was assassinated in August 1877. The latter was expelled by the tribe, who elected his son, Ahmad, to be their Chief. The succession was recognised by the British

Government. In July 1879 Sultan Husain, being found to be implicated in certain intrigues, which had for their object a rebellion in the Fadthli country, was arrested and deported to Bombay. He was liberated in December 1886, and his conduct since his release has given no cause for uneasiness.

In 1872 the tribe agreed (No. XXXV) to abolish transit duties on goods conveyed to and from Aden through their territories, in consideration of which measure the Chief's stipend was further increased to 180 dollars a month.

In 1881 a boundary dispute, which had long caused ill-feeling between the Fadthli and Abdali, was terminated by the conclusion of a Treaty (No. XXXVI) defining their respective limits.

In 1883 it was reported that the lower Aulaki had invaded the Fadthli territory, and a force was despatched from Aden by sea and land to the assistance of the latter. No invasion having actually taken place the force was withdrawn. Shortly afterwards the lower Aulaki invaded Fadthi territory, but the attack resulted in their complete discomfiture.

In 1888 territorial disputes arose between the lower Yafai and the Fadthli and the former cut off the supply of the Nazia; a desultory strife continued for some time between the tribes with occasional short truces.

In August 1888 a Protectorate Treaty (No. XXXVII) was concluded with the Fadthli, which was ratified on the 26th February 1890.

In October 1891, in consequence of the misconduct of the Fadthli, it became necessary to impose a fine of Rs. 1,000 upon the Chief, and to suspend the payment of his stipend. The advisability of reviving the fourth article of the agreement of 1867, requiring the residence of a Fadthli representative at Aden, was also taken into consideration. In December 1891, however, on his making full submission, the punishment was in part remitted by the Government of India.

In 1892 and the following year a desultory strife, interrupted by short truces, continued with the lower Yafai over the water-supply of the Nazia. In 1893 a truce was made for one year and was continued in 1894 and the following years.

The Markashis also gave considerable trouble plundering in British territory. The Sultan finally declared himself responsible for them.

In 1899 at the Sultan's request his two brothers, Saleh and Abdulla, were deported to India for conspiring against him. In 1900 Saleh died at Karachi, and Abdulla was released.

The Sultan established a new customs post at Zanzibar for the purpose of levying dues on Kafilahs. In consequence hostilities with the Yafai recommenced. All efforts to effect a reconciliation failed, till in 1904 the Sultan visited the Resident at Aden, and promised to stop levying due and to abandon his post at Zanzibar.

In 1906 the Sultan was reported to have commenced levying transit dues on Kafilahs at Zanzibar. In reply to representations on the subject he urged that these were only fees willingly paid for escorts furnished to caravans beyond his own limits, and the matter was not pursued.

Hostilities with the lower Yafai continued intermittently.

The population of this tribe is estimated at 24,000, and the gross revenue at Rs. 20,000 a year.

The Fadthli Sultan is entitled to a salute of 9 guns, which was formally gazetted on the 1st January 1877.

(4) *The Akrabi.*

The Akrabi tribe are a subdivision of the Abdali, who, under Shaikh Mahdi, threw off allegiance to Abdul Karim of Lahej and became independent about the year 1770. The only town, or rather village, is that of Bir Ahmad. An Engagement (No. XXXVIII) was concluded in 1839 with their Chief, Shaikh Haidara Mahdi, after the capture of Aden, and it was adhered to until the date of the third attack upon the fortress in July 1840. Thenceforward for many years their attitude was one of hostility. In 1850 they murdered a seaman of the *Auckland*. This necessitated the blockade of the port of Bir Ahmad, which continued for several years, and friendly relations with the tribe were not resumed till 1857, when the Chief of the Akrabi tribe renewed (No. XXXIX) his professions of peace and good will. In 1863 an Agreement (No. XL) was made with him, by which he engaged not to sell, mortgage, or give for occupation, save to the British Government, any portion of the peninsula of little Aden. In return he was to receive an immediate payment of 3,000 dollars, and a monthly stipend of 30 dollars.

These terms were not considered entirely satisfactory by Her Majesty's Government, and the Resident was instructed to treat for the complete and unreserved acquisition of the peninsula. After tedious negotiations, which were further protracted by the necessity of investigating the claims of other tribes to this territory, the purchase was concluded (No. XLI) on the 2nd April 1869 for a sum of 30,000 dollars, the stipend of the Chief being at the same time raised to 40 dollars a month.

The animosity, always latent, between the Abdali and Akrabi, took overt from in 1887, and in August of that year the Abdali besieged Bir Ahmad in a desultory fashion. Eventually, as the British limits at Hiswa were disturbed, the Resident intervened; the Abdali evacuated Akrabi territory, and peace was restored on the 6th September.

Negotiations were commenced in 1887 for the acquisition of a strip of foreshore to connect the British limits at Al Hiswa and Bandar Fukum. They were brought to a satisfactory conclusion by an Agreement (No. XLII) dated the 15th July 1888, the Akrabi Shaikh disposing of his title for an immediate payment of Rs. 2,000.

In 1888 a Protectorate Treaty was concluded (No. XLIII) with the Akrabi, similar to that arranged with several other tribes, and was ratified on the 26th February 1890.

The Akrabi inhabit the coast-line from Bir Ahmad to Ras Imran; inland their territory extends to an undefined point between Bir Ahmad and Wahat. They can muster about 250 fighting men. Shaikh Abdulla bin Haidara Mahdi, succeeded to the Chiefship in 1858 on his father's resignation. Shaikh Abdulla died in March 1905, and was succeeded by Shaikh Fadthl bin Abdulla bin Haidara.

His gross annual revenue amounts to about Rs. 2,000. His tribesmen number about 700 souls.

(5) *The Upper Aulaki.*

The Aulaki tribe is divided into two sections, the upper and the lower Aulaki, each under an independent Chief. The upper Aulaki are again subdivided, part being under the rule of a Sultan who resides at Nisab, and part governed by Shaikh Mohsin bin Farid, who is nearly as powerful as the Sultan and lives at Yeshbum.

The Aulaki inhabit the tract of country stretching from the Fadthli boundaries on the west to those of the Dhuyaibi on the east; but the ports of Irka and lower Haura on this coast are held by independent Shaikhs.

In 1889 the upper Aulaki Shaikh voluntarily signed a written agreement abandoning all customary rights over Fadthli and Abdali.

On 8th December 1903 a treaty (No. XLIV) was concluded at Aden with the upper Aulaki Shaikh and was ratified on 5th February 1904.

A treaty (No. XLV) was also concluded with the upper Aulaki Chief on 18th March 1904 and ratified on 23rd April 1904.

(6) *The Lower Aulaki.*

In October 1855 the Resident at Aden entered into an Engagement (No. XLVI) with Sultan Munassar bin Bubakr, Mahdi of the lower Aulaki tribe, by which the latter bound himself to prohibit the importation of slaves into the country from Africa. He was murdered together with his son, Abdulla, in July 1863, and was succeeded by his cousin, Bubakr bin Abdulla, who in 1892 resigned the Chieftainship in favour of Saleh bin Ali bin Nasir, a distant relative. The Government sanctioned this arrangement and continued the stipend enjoyed by Bubakr bin Abdulla to his successor. The authority of the lower Aulaki Chief over his tribe is somewhat limited. Sultan Bubakr bin Abdulla was not always able to prevent the plunder of vessels wrecked on his coast. In 1871, however, he bound himself by an engagement to use his best endeavours to prevent such outrages in future, and to protect and, if possible, convey to Aden any shipwrecked seamen who might stand in need of his assistance.

In 1883 dissensions broke out between the Fadthli and lower Aulaki, leading to a raid on the Fadthli territory. The lower Aulaki were defeated, with considerable loss, as detailed in the account of the Fadthli (*vide supra*).

A Protectorate Treaty (No. XLVII) was concluded with the Sultan in 1888, and was ratified on the 26th day of February 1890.

Sultan Saleh bin Ali bin Nasir resigned the Chiefship in 1900, and Sultan Ali bin Munassar succeeded him. The latter died in 1902 and was succeeded by Sultan Nasir bin Bubakr.

In 1904 some Fadthli tribesmen fired on a lower Aulaki dhow, and in consequence the old feud between the two tribes broke out again. There was little actual fighting, and at the end of the year a truce was proclaimed.

The population of the lower Aulaki tribe is estimated at 15,000, and the gross revenue at Rs.10,000 a year.

(7) *Behan al Kasab.*

This country lies to the north-east of the upper Yafai country, and to the north of Beda.

It was not till the question of demarcating the north-eastern frontier arose that any intercourse was held with this tribe.

In December 1903 a Treaty (No. XLVIII) was concluded with Sharif Ahmad Am Mohsin. He draws a monthly stipend of 30 dollars.

The population of this district is estimated at 11,000.

(8) *Irka.*

Since 1888 the Shaikh of Irka has received a stipend. A Protectorate Treaty (No. XLIX) was concluded with him in that year, and was ratified on the 26th February 1890.

Shaikh Awadth bin Muhammad ba Das died in January 1901. He was succeeded by Shaikh Ahmad bin Awadh bin Muhammad ba Das. A new Protectorate Treaty (No. L) was concluded with the latter in January 1902, when his stipend was increased from 80 to 180 dollars.

(9) *Lower Haura.*

The Shaikhs reside at lower Haura, a seaport abou 12 miles from Irka. Since 1888 an annual stipend has been paid to them, and a Protectorate Treaty (No. LI) was concluded with them in that year, and was ratified on the 26th February 1890.

In May 1895 Shaikh Abdulla bin Muhammad ba Shahid, the representative Shaikh, died. He was succeeded by Shaikh Said bin Abdulla ba Shahid who abdicated in February 1896, being succeeded by his brother, Shaikh Ahmad bin Abdulla. The latter died in March 1900, and was succeeded by Shaikh Saleh bin Awadth.

A revised Protectorate Treaty (No. LII) was concluded with the latter in April 1902, when his stipend was increased from 50 to 180 dollars.

(10) *The Yafai.*

This tribe is divided into two sections, the lower and upper Yafai. Their territory inland is very extensive, but the maritime districts east of Aden, which formerly belonged to the tribe and extended to the frontiers of Hadthramaut, were wrested from them by the Fadthli shortly before the capture of Aden.

(a) *Lower Yafai.*

Soon after the capture of Aden an Engagement (No. LIII) was entered into, in 1839, with Sultan Ali bin Ghalib, Chief of the lower Yafai, similar to that concluded with the Abdali and Fadthli Chiefs, and has been loyally adhered to.

Sultan Ali bin Ghalib died in 1841 at a great age, and was succeeded by his son, Ahmad bin Ali. He died in September 1873, and was succeeded by his son, Ali bin Ahmad, who was succeeded by his brother, Mohsin bin Ahmad, in May 1885. He died on the 19th July 1891, and his nephew, Sultan

Ahmad bin Ali, was elected as his successor to the Chiefship. The Government of India sanctioned the continuance to him, with effect from the 20th July 1891, of the annual stipend of 250 dollars enjoyed by the late Sultan.

Hostilities broke out between the Yafai and the Fadthli in the year 1873, in consequence of the Yafai Chief having repudiated an engagement concluded on his behalf by his son and in the presence of the Resident at Aden, whereby he had consented to accept a royalty of 25 dollars a year from the Fadthli Sultan for the use of water for irrigation. For this breach of faith the stipend of the Yafai Chiefs was temporarily withheld.

From 1888 to 1893 a desultory strife, interrupted by short truces, was carried on with the Fadthli over the water-supply from the Nazia channel. In 1893 a truce was made and was kept for several years.

In 1893 Sultan Ahmad bin Ali visited Aden on his way to Mecca, where he died on the 27th June. He was succeeded by Sultan Bubakr bin Saif.

On the 1st August 1895 a Protectorate Treaty (No. LIV) was concluded with the lower Yafai.

In 1899 Sultan Bubakr bin Saif died. He was succeeded by Sultan Abdulla bin Mohsin.

In 1902 the Fadthli Sultan established a new customs post at Zanzibar and levied dues on Yafai Kafilahs. The Yafai retaliated by cutting off the water-supply from the Nazia channel. The Fadthlis then attacked Al Husn and Al Rawa. In 1903 the Resident endeavoured to effect a settlement, but the Yafai Sultan refused to attend the conference. In 1904 the Fadthlis attacked Raha and Khanfur, and up to the present time (1906) no settlement has been reached.

Relations with the lower Yafai Sultan continue to be strained since 1904, owing partly to his dissatisfaction with the position accorded to certain sections of the upper Yafai over whom he is inclined to assert a claim to general suzerainty, and partly to his dissatisfaction with the rank and precedence assigned to himself.

The population of lower Yafai is estimated at 28,000, and the gross revenue at Rs. 16,000 a year.

(*b*) *Upper Yafai.*

The present Chief is Sultan Kahtan, who succeeded Sultan Muhammad bin Ali in 1895. Very few dealings were held with the upper Yafai till 1903, when in that year it was proposed to demarcate the north-eastern frontier Treaties (Nos. LV to LX) were concluded with the Dthubi, Mausatta, Muflahai

sections, with Sultan Kahtan bin Omar, as titular chief of the whole tribe, and with the Hadthrami and Shaibi sections. In August the Shaibi frontier was demarcated, but on the survey party entering the Rubiaten district, a post which had been established at Awabil was attacked by Sultan Saleh bin Omar, Sultan Kahtan's brother, and his followers. The attack was repelled, but as the Turks declared that any advance into the Rada district would imperil the negotiations then proceeding between the two countries, all attempts to demarcate the north-eastern frontier were abandoned.

In October 1903 an Agreement (No. LXI) was made by Shaikh Mutahir Ali of the Shaibi tribe, by which he undertook to look after the boundary pillars for a monthly stipend of 7 dollars.

In 1904 Sultan Kahtan bin Omar was deposed by tribesmen headed by his brother, Saleh, because of the agreement he had entered into with the British Government: Saleh bin Omar having the stronger personality of the two. In 1905 Government sanctioned the gift to Sultan Kahtan of $3,000 as an assistance towards effecting his rehabilitation.

The Shaibi tribesmen have their headman of clans, who own a sort of allegiance to a stipendiary by name Shaikh Ali Mani, the Sakladi. The Nukaba of Mausatta where the British have two "Askars" as stipendiaries, assert that they have considerable influence in Shaibi; and Shaikh Ali Mohsin Askar, the son of Mohsin Askar (one Mausatta stipendiary), frequently visits the country as mediator. Ali Mohsin Askar has an allowance from Government of $20 a month in recognition of his importance as so long as he is faithful to Government.

In 1906 Ali Mohsin Askar, owing to a fancied slight received as he asserted in Aden, returned to the Shaibi country and knocked down a boundary pillar. His allowance was stopped till he came into Dthala before the Resident and asked for pardon.

The Yafais are among the most civilized of the hinterland tribes, and have commerce with India, Java and Borneo, where they trade and also serve as mercenaries. They boast that no European has ever crossed their frontier.

The numbers of the upper Yafai tribesmen are estimated on necessarily imperfect data at 80,000.

(*11*) *The Haushabi.*

On the 14th June 1839 an Engagement (No. LXII) was entered into with Sultan Mani bin Salam of this tribe, of the same tenor as those with the

Abdali, the Fadthli, and the Yafai. In the previous January a Treaty (No. LXIII) of friendship and peace had been signed by two other Chiefs of the Haushabi tribe with the British representative. Sultan Mani bin Salam, though more than once invited by the Abdali and Fadthli Chiefs to join them in their attacks upon Aden, steadily declined their overtures. He died in June 1858, and was succeeded by his nephew, Obaid bin Yahya, during whose rule friendly relations were uninterruptedly maintained with the Haushabi. Obaid bin Yahya died in 1863, and was succeeded by his cousin, Ali bin Mani. The relations of Sultan Ali bin Mani with the neighbouring Chiefs and the British Government were for a long time the reverse of cordial. In 1868 he cut off the supply of water from a rivulet which irrigates the Lahej territory, and destroyed the crops on lands belonging to the Sultan of Lahej, who accordingly marched against him. An action ensued in which the Haushabi Chief was defeated. In payment of the loss suffered by the Sultan of Lahej, Sultan Ali bin Mani ceded to him the town of Zaida and its lands which had formerly belonged to Lahej, and the dispute was temporarily settled by the friendly intervention of the Resident. In October 1869 the Haushabi Chief's stipend was stopped in consequence of the outrages committed by him on the Aden road; the proximate cause of this misconduct was the tenure of Zaida by the Sultan of Lahej, who was therefore induced to make over to his rival a small portion of that district. The Haushabi Chief was not satisfied, and in 1873 commenced intriguing with the Turkish authorities at Taizz in the hope of thereby regaining possession of Zaida. Supported by Turkish troops he held for some little time a part of Zaida, but on their withdrawal from the neighbourhood of Lahej he was compelled to retire.

The Sultan of Lahej was induced by the Resident to renew his offers of a portion of Zaida to the Haushabi Chief, but as the latter insisted on receiving the fort of Shakaa, which commands the rivulet and consequently the supply of water to Lahej, the negotiations failed for the time. They were, however, renewed with success in 1881, when, as recorded above in the account of the Abdali, an Agreement (*See* No. XXII) was signed by both Chiefs. In 1886 this agreement was modified by the action of the Haushabi Chief in selling his lands at Zaida to the Abdali.

Sultan Ali bin Mani died in May 1886, and was succeeded by his son, Mohsin bin Ali.

On the 15th November 1888 the Sultan signed an Agreement (Appendix No. III) in conjunction with the Alawi and Kotaibi Shaikhs and the Amir of Dthali fixing the rates to be levied on merchandise.

In 1894, owing to the heavy taxes laid on Kafilahs by Sultan Mohsin bin Ali, the Abdalis entered his country and he was obliged to flee. He was repudiated by his Chiefs and at their request the Abdali Sultan was elected in his place. Mohsin bin Ali, having failed in his intrigues with the Turks, submitted to the Abdali Sultan and accepted an asylum at Ar Raha with a stipend. On 6th August 1895 he signed an Agreement (No. LXIV) by which his territory was restored to him under certain guarantees. On the same date a Protectorate Treaty (No. LXV) was concluded with him and was ratified in October 1895.

In 1900 Muhammad bin Nasir Mukbil, a Shaikh of the Homar tribe, and a Turkish Mudir, built a fort in Haushabi limits which the Turks garrisoned. The Turkish authorities were requested to evacuate it. This they failed to do, and the Haushabi Sultan was given permission to drive them out. This attempt failed, and in July 1901 a force of 500 men was despatched from Aden. The Turks and Muhammad bin Nasir Mukbil's adherents were driven from their position at Ad Dareja on the 26th July and the expedition returned to Aden.

In 1902 several fights took place with the Abdali and the trade routes were stopped for a time.

In 1903 the boundary commission demarcated the Haushabi frontier.

On the 28th September 1904 Sultan Mohsin bin Ali died. He was succeeded by Sultan Ali Mana.

Subsequent to the election of Sultan Ali bin Mana, the question of his relations with the Abdali Sultan had been under the consideration of Government. The present decision is that with the consent of both the Sultans, the relations agreed upon by their predecessors in 1895 shall continue.

From 1905 the Abdali-Haushabi relations were revived in accordance with the arrangements made between their predecessors in 1895. These relations are now satisfactory.

Throughout 1906 the Haushabi Sultan was harassed by his Subaihi neighbours who committed depredations in his territory. An Abdali-Haushabi combination against these marauders resulted in the Haushabi imprisoning the leaders of the Jabbera section at Musemir. The Abdali assistance was, however, purely nominal.

Certain Abdalis working in the vicinity of the British post at Nabat Dukaim were attacked by Subaihis of the Jabbera section. The motive was to retaliate on the Abdali Sultan who had refused them presents at Lahej. The Subaihis retired after exchanging a few shots.

The Haushabi number about 8,200 souls. The Sultan's gross annual revenue is estimated at Rs. 11,000.

(*12*) *The Alawi.*

The district occupied by the Alawi tribe is situated to the north-west of the Haushabi country. No separate engagement was entered into with this tribe after the capture of Aden, but the Chief's stipend was secured through the intervention of Sultan Mani bin Salam of the Haushabi tribe.

In 1873 a body of Turkish troops marched through the Alawi country and compelled the Chief, Shaikh Saif bin Saif, who had refused to tender allegiance to the Turkish authorities at Taizz, to submit, and to surrender his son as a hostage. The latter was eventually released in consequence of the remonstrances of Her Majesty's Ambassador at Constantinople.

Shaikh Saif bin Saif died in March 1875, and was succeeded by his nephew, Said bin Saleh. The latter died on the 1st April 1892 and his eldest son, Shaikh Saif bin Said, was elected to the Chiefship and was recognised by Government. The annual stipend of 60 dollars paid to the late Chief was continued to his successor.

In 1888 Shaikh Said bin Saleh signed an Agreement (*see* Appendix No. III) in conjunction with the Haushabi, Kotaibi * and the Amiri * fixing the rates to be levied on merchandise.

On the 16th July 1895 a Protectorate Treaty (No. LXVI) was concluded with the Alawi Shaikh and was ratified.

In April 1898 Shaikh Saif bin Said was deposed by his tribe. His cousin, Husain bin Saleh, was elected Shaikh, but died the same year and was succeeded by Shaikh Ali Nasir Saif, to whom the usual stipend was continued.

1904-1906. The Alawi Shaikh has ever remained loyal to the British Government. He was given assistance to build a fort at Hamra, where the Kotaibis, prior to British advent, had held sway.

The Alawi-Kotaibi relations have never been good. The chief bone of contention is the existence of co-rights in the village of Thumair close to Suleik. The Alawi has a custom house and he is thus able to forego the levy of transit dues on the people of Thumair in consideration of which

* The Kotaibi and Amiri are separate small tribes owing allegiance to the Amir of Dthali.

they pay him revenue, whereas the power of the Kotaibi suffers from their having no right to levy dues.

The Alawi number 1,500 souls. Their gross annual revenue is estimated at Rs. 6,000.

(*13*) *Dthali.*

The collection of tribes ruled over by the Amir of Dthali occupy the district north-west of the Alawi country on the high road to Sanaa. The ancestors of the present Chief are said to have been Muwallads, or half caste slaves of the Imams of Sanaa, and to have established themselves as independent at Dthali about the beginning of the last century.

On the death of the late Chief, Shafal bin Abdul Hadi, in 1872, his nephew, Ali bin Mokbil, was recognised by the British Government as his successor. In the following year he was required by the Turkish authorities to make his submission to the Porte, a Turkish Superintendent was appointed to Dthali, a detachment of Turkish troops was quartered there, and the Chief was required to give a hostage for his good behaviour who was to reside at Taizz. He was afterwards summoned by the Turks to Kataba, and imprisoned there, but effected his escape. Muhammad bin Masaid, who had been appointed Chief by the Turks in the place of his nephew, Ali bin Mokbil, was killed, and his son, Abdulla bin Muhammad, was recognised by them as his successor. He continued to resist Ali bin Mokbil till 1878, when Turkish support having been withdrawn from his rival, Ali bin Mokbil resumed his position as Chief of the tribe, with the loss, however, of several of his villages which had, some voluntarily and some under pressure, yielded allegiance to the Porte.

In 1880 the Chief signed an Agreement (No. LXVII) by which he became a British stipendiary, receiving 50 dollars a year. This allowance was afterwards increased to double that sum.

In September 1886 Ali bin Mokbil died, and was succeeded by his cousin, Saif bin Saif, to whom the stipend is continued.

In 1881 the Kotaibi tribe became restless, and began to exact dues on the Hardaba route. In 1884 it was found necessary to support the Amir with a few sabres of the Aden troop and some sappers. They destroyed some of the Ahl-ath-Thomari forts, and the Kotaibi then tendered their submission. But they soon resumed their independent position, and it was not until 1888, when the Resident met the Haushabi, the Dthali Amir and others to settle a schedule of rates (*see* Appendix No. III) to be levied on kafilahs, that the Kotaibi and Ahl-ath-Thomari formally recognised the Amir as their superior.

The years 1889 to 1900 were marked by the continued restlessness of the Kotaibi, who failed to keep the settlements made in 1888, and by the encroachments of the Turks.

In 1901, and the beginning of 1902, the Turks occupied Jalela, Mafar, and Jebel Jehaf.

The joint delimitation commission met in February 1902. The Turks claimed the whole of the Shairi, Jebel Jehaf, and Mafari districts. A year was then spent in correspondence between the British Government and the Porte, and it was not till the British forces had been reinforced to a strength of 2,500 men that the Turkish garrisons were withdrawn. In March 1903, an Iradé was issued at Constantinople decreeing the commencement of the delimitation. By October the frontier had been demarcated, including on the British side the Shaibi tribes, the Amiri villages in the Wadi As Safiya and the Humedi and Ahmadi tribes.

The Amir attended the Coronation Darbar at Delhi in January 1903.

In 1906 there were differences with the Shairi tribesmen. Matters culminated in a fight and the ill-feeling continued throughout the year. The tribesmen of Jebel Jehaf joined the Shairis and refused to pay the Amir any taxes on the hill.

The Ahmadi tribe on the river Tiban also became disaffected and refused to own Amiri suzerainty.

In November 1903 it became necessary to march troops against the Kotaibis who had attacked the post at Suleik. The operations were successful.

In November 1904 a further Treaty (No. LXVIII) was concluded with the Amir. It was ratified in February 1905.

The tribesmen of the Amir number about 50,000, and the gross revenue is estimated at Rs. 35,000 a year.

(*14*) *The Wahidi.*

The Wahidi are a Hadthramaut tribe. The territory occupied by them is bounded on the north and north-east by the lands of the Naman and Burayshi tribes, on the north-west and west by the upper Aulaki, on the south-west by the Dhuyaibi, and on the south by the Arabian Sea. It has a sea-coast estimated at 50 miles in length, and includes the ports of Ras al Kalb, Bir Ali, Balahaf, and Ras al Majdaha.

The country may be divided into the three districts of Habban, Izzan, and Bir Ali. In 1885, Hadi bin Saleh being made the principal Sultan, the Wahidi were practically united under one ruler; but the title of Sultan is borne by several subordinate Chiefs belonging to the ruling family.

Until recent years this tribe had had no dealings with the Aden Residency, but their country was visited by Captain Miles and M. Werner Munzinger, C.B., in 1870.

One of the Wahidi Sultans visited Aden in 1872, and uninterrupted communication has since been maintained between this tribe and the Aden Residency.

In 1877 Sultan Ahmad bin Husain was dethroned, and was succeeded by his son, Saleh bin Ahmad.

In January 1878 several of the Wahidi Sultans addressed a joint letter to the Resident, complaining that negotiations were going on between the Kayti Chief of Shehr and Talib bin Hadi bin Talib for the sale of the port of Bir Ali to the Kayti. The Wahidi desired the Resident to close the port of Bir Ali and hoist the British flag at Balahaf until a settlement was effected. The Resident advised Talib bin Hadi not to be so imprudent as to sell Bir Ali to the Kayti.

Sultan Saleh bin Ahmad died in 1881, and was succeeded by his cousin, Abdulla bin Omar, as Sultan of Habbar and Izzan. The latter visited Aden in 1881, and was suitably received by the Resident. Abdulla bin Omar was dethroned in 1885, when Hadi bin Saleh of Balahaf was made the principal Sultan.

In the beginning of 1882 Izzat Pasha was appointed Turkish Governor-General of Yemen, and on his way from Baghdad to Hodeida to take up his appointment, visited Balahaf and Bir Ali. No agreement of any kind passed between him and the Sultan of Balahaf; but Nasir bin Abdulla, one of the Sultans of Balahaf, apprehensive that Balahaf might be annexed by the Kayti Chief of Shehr and Mokalla, obtained a Turkish flag, which was to be hoisted every Friday and on the approach of a foreign vessel. The Wahidi Sultan of Habban and Izzan, while denying all complicity in the matter, stated his inability to prevent the Sultans of Balahaf from flying the Turkish flag, and proclaimed his readiness to go against them with British aid.

Subsequently the Wahidi Sultan and the Sultans of Bir Ali, Balahaf and Majdaha, all wrote almost identical letters to the Resident, praying for British protection.

From the correspondence which took place in connection with this incident, it appeared that the then Wahidi Sultan of Habban and Izzan had little, if any, control over Bir Ali, Balahaf and Majdaha.

It was eventually decided to enter into closer relations with the Wahidi, and with this view Protectorate Treaties (Nos. LXIX and LXX), similar to

that executed by the Chief of Sokotra, were concluded in 1888 with the Sultans of Bir Ali and Balahaf. Annual stipends of 120 dollars each were at the same time granted to Sultan Mohsin bin Saleh of Bir Ali and Sultan Hadi bin Saleh of Balahaf.

Sultan Hadi bin Saleh of Balahaf in 1892 resigned the Chiefship in favour of his younger brother, Mohsin bin Saleh. The Government sanctioned this arrangement, and continued the stipend to Mohsin bin Saleh.

In 1893 Sultan Mohsin bin Saleh of Bir Ali died, and was succeeded by Sultan Saleh bin Ahmad, the usual annual stipend being continued to him. During this year Sultan Mohsin bin Saleh of Balahaf displayed a refractory spirit and intrigued with foreign powers. He was driven from Habban by his tribesmen, but he still continued his intrigues and contrived to bring some rifles into the country, for which Ahmad bin Saleh, his brother, was imprisoned at Aden. In the meantime Saleh bin Abdulla was elected Wahidi Sultan, but he was overawed by the *ex*-Sultan's threats, and was afraid to hoist the British flag, when the Native Assistant Resident was sent to Balahaf in the R. I. M. S. *Dalhousie* to make enquiries as to the state of affairs, on the ground that the *ex*-Sultan's brother, Husain bin Saleh, had threatened to fire on him if he did so. A small force was therefore sent to Balahaf in November 1894 in H. M. S. *Bramble* and the R. I. M. S. *Dalhousie*, which brought back Sultan Saleh bin Abdulla on a visit to the Resident and Husain bin Saleh as a prisoner.

In March 1895 a Protectorate Treaty (No. LXXI) was concluded with Sultan Saleh bin Abdulla, by which his stipend was increased to 360 dollars. Husain bin Saleh and Ahmad bin Saleh were released.

On 1st June 1896 an amended Protectorate Treaty (No. LXXII) was concluded with the Wahidi of Bir Ali and his stipend increased to 360 dollars.

During 1901 the Wahidi complained of Kayti intrigues and asked for British protection; and the Wahidi Chiefs requested that Mohsin bin Saleh, the *ex*-Sultan, might be recognised as titular chief, but their request was refused.

In 1902 Mohsin bin Saleh plundered a Kayti Sambuk containing specie. The Resident proceeded to Balahaf with a small force. As Mohsin bin Saleh failed to give up the plunder, the fort at Balahaf was demolished, and the Resident returned to Aden, bringing with him Sultan Ahmad bin Saleh, Mohsin's brother, as a political prisoner. The port was closed against all shipping. In October the specie was restored,

but it was not until December 1904 that Sultan Mohsin bin Saleh came into Aden and tendered his submission. He was forgiven his past misdeeds. His brother was released, and he himself has received recognition as Sultan of the Wahidi of Balahaf, in the place of Sultan Saleh bin Abdulla, who proved himself a weak and inefficient ruler and gained the disapprobation of his tribe and the censure of Government by an attempt to part with his share of the port of Balahaf to the Sultan of Shehr and Mokalla. On the occasion of Sultan Mohsin's recognition the opportunity was taken to reaffirm with him the Protectorate Treaty of 1895 (see No. LXXI).

The *ex*-Sultan Saleh bin Abdulla quarrelled with Sultan Mohsin bin Saleh over his share in the port dues of Balahaf, and in 1906 asked the Resident to interfere on his behalf which the latter declined to do.

Sultan Nasir bin Saleh of Habban in the same year made overtures for a separate treaty, but these were not accepted.

(*15*) *The Kathiri.*

The country inhabited by this tribe was formerly extensive, reaching from the Aulaki districts on the west to the Mahri tribe on the east, and including the seaports of Mokalla and Shehr. Civil wars led to the interference of the Yafai, and much of the Kathiri territory came under the sway of the Kasadi and Kayti, the Kathiri now possessing no seaport at all.

Some account of the tribe will be found under "Shehr and Mokalla" (*infra*). There is no treaty with them.

At the end of 1883 Sultan Abdulla bin Saleh, one of the Kathiri Chiefs visited the Resident at Aden. His principal object was to ascertain what attitude the British Government would maintain in the event of the Kathiri attacking the Kayti with a view to repossessing themselves of the ports of Shehr and Mokalla. Abdulla bin Saleh also visited Zanzibar with intent to intrigue with the *ex*-Nakib of Mokalla, from whom, however, he failed to obtain any material assistance.

The Government of India in March 1884 directed that the Kathiri be warned that an attack upon Shehr and Mokalla would be viewed with grave displeasure, and that, if necessary, a gun-boat would be sent to support the Kayti ruler. The Jamadar of Shehr and Mokalla was subsequently assured in the most public manner that Government would support him in the event of any attack on his ports.

In 1895 the Kathiri captured the fort at Dhufar driving out the Governor, who retired to Marbat. In 1897 the port was recaptured.

(*16*) *Shehr and Mokalla.*

Shehr and Mokalla are the two principal ports in the province called Hadthramaut on the southern coast of Arabia. Mokalla is 250 miles north-east of Aden and Shehr is 20 miles distant from Mokalla. The whole province was, till some 400 years ago, in the possession of the Kathiri, but disputes having arisen among the members of the ruling family towards the close of the fifteenth century, one of the claimants, Amr bin Badr, called in the Yafai, who, in return for their assistance in putting him in power, retained for themselves the ports of Shehr and Mokalla. Mokalla was till lately retained by one of their sub-tribes, the Kasadi ; both places are now, however, in the possession of the head of another sub-tribe, the Kayti.

Shehr and Mokalla were at one time centres of an active traffic in slaves from Zanzibar and the Dankali coast. On the 14th May 1863, Brigadier Coghlan, the Political Resident at Aden, concluded an Engagement (No. LXXIII) with Saleh bin Muhammad of the Kasadi sub-division of the Yafai tribe, Nakib of Mokalla, in which he agreed to abolish and prohibit the export and import of slaves. A precisely similar engagement was concluded on the same date with Ali bin Naji, of the Kayti sub-division of the same tribe, Nakib of Shehr.

In 1866 Sultan Ghalib bin Mohsin, Chief of the Kathiris, expelled Ali bin Naji from Shehr and took possession of the fort. At this time the inland town of Shibam was held by the Kaiti tribe, and their Chief, Abdulla, being apprehensive that the capture of Mokalla would follow that of Shehr, and that his communication with the seaboard would be cut off, applied to his brothers, who were in the service of the Hyderabad State, for assistance against Sultan Ghalib bin Mohsin. A request was thereupon preferred by the Minister of the Nizam for the armed interference of the British Government on behalf of the rightful Chief of Shehr. Government, however, declined to interfere or to allow an armed expedition to be fitted out by Arabs from the Indian coast.

In April 1867, Awadth (Awaz) bin Omar, better known by his Hyderabad title of Sultan Nawaz Jang, a brother of the Kayti Chief Abdulla, after establishing a blockade on the sea-coast, landed near Shehr, attacked Sultan Ghalib bin Mohsin, and on his flight obtained possession of the town. An attempt was made by the Kathiri Chief in December of the same year to retake the place, but he was repulsed by the Kayti, who have since remained

in unmolested possession of the port and district. Application was made by the Kathiri Chief to the British Government for permission to recover Shehr by force, but it was considered undesirable to interfere. At the same time the Nizam's Minister declared his readiness to prohibit any interference on the part of Hyderabad subjects in the affairs of Hadthramaut.

Saleh bin Muhammad died in 1873 shortly after the conclusion of a Treaty (No. LXXIV) with him, by which he engaged for himself, his heirs and successors, to prohibit the import or export of slaves to or from Mokalla and its dependencies. He was succeeded by his son, Omar bin Saleh, who accepted an offer by the Kayti Chief of Shehr to aid him in reducing the refractory Shaikh of Dawan. Taking advantage of his admission with 600 followers into the fort of Mokalla, the Kayti Chief demanded payment of a debt alleged to have been due to him by the late Nakib.

It was finally arranged in 1873 by treaty * that the Nakib should cede one-half of Mokalla, of Bandar Burum, and of the district of Al-Harshiyyat in return .for a payment of 2½ lakhs of dollars, from which, however, the debt due to the Kayti Chief was to be deducted. In prosecution of this feud, the Kayti, with the aid of their relatives at Hyderabad, purchased a vessel and despatched her to Aden ; she was detained there under the provisions of the Foreign Enlistment Act of 1870, and not released until the Kayti Chief had bound himself under a heavy penalty to send her at once to Bombay without touching at, or undertaking any operations against, any of the ports of Hadthramaut. This Chief further attempted to establish a blockade of Mokalla and boarded native craft suspected of being bound for that port. For the plunder of three such vessels he was compelled to pay an indemnity of Rs. 6,142, and warned of the consequences of such interference with commerce in the future.

On the occasion of the Delhi Darbar held on the 1st January 1877, personal salutes of 12 guns were granted to Omar bin Saleh bin Muhammad, Nakib of Mokalla, and Awadth bin Omar Alkayati, Jamadar of Shehr.

The British Government steadily avoided interference or arbitration in the disputes between these two Chiefs, and took no action regarding them beyond asking for assurances from the ministers of the Hyderabad State that persons in the service of the Nizam, who might be convicted of taking part in the quarrel by supplying money and munitions of war to their relatives on either side, and so prolonging the strife, would be dismissed. But at length in 1876, there being no prospect of the cessation of hostilities

* See Appendix No. IV.

without some authoritative interference, the Political Resident at Aden, acting under the authority of Government, visited the two Chiefs, and through his mediation a truce for two years was concluded, on the expiry of which period a further extension of one year was arranged. No permanent settlement was however effected, and eventually hostilities were resumed in 1880 and resulted in the capture of Burum by the Chief of Shehr. Being driven to extremities the Nakib of Mokalla signed the agreements drawn up by the Political Resident, and Burum was in consequence evacuated by the Jamadar of Shehr.

No sooner was the Nakib thus relieved from immediate pressure than he repudiated the terms of the settlement. The Government of India thereupon directed that the Jamadar should be replaced in possession of Burum, which was surrendered by the Nakib without further bloodshed. Finally, in November 1881, the latter gave himself up to the Commander of H. M. S. *Dragon* and was conveyed with his dependants to Aden, while the Jamadar of Shehr was put in possession of Mokalla and its dependencies. From Aden the *ex*-Nakib went to Zanzibar with a number of Shaikhs and followers, and in 1888 he accepted the maintenance provided for him.

In 1873 an Engagement (No. LXXV) was concluded with the Chief of Shehr, by which he bound himself, his heirs and successors, to prohibit the import or export of slaves to or from Shehr and its dependencies.

In 1882 an Engagement (No. LXXVI) was concluded with the Jamadar of Shehr and Mokalla by which he became a British stipendiary, an allowance of 360 dollars a year being assigned to him, his heirs and successors. At the same time the Jamadar paid over (article 2) a sum of 100,000 dollars to the Resident at Aden for the maintenance of the *ex*-Nakib of Mokalla.

On the 1st May 1888 a Protectorate Treaty (No. LXXVII) was concluded with the Jamadar Abdulla bin Omar, and his brother Awadth bin Omar, and was ratified on the 26th February 1890.

Jamadar Abdulla bin Omar died on the 25th November 1888, and Government sanctioned the continuance of the salute and stipend to his brother Awadth bin Omar (Sultan Nawaz Jang). The Chief receives a personal salute of 12 guns, and a permanent salute of 9 guns, which was sanctioned in 1902.

In 1896 a quarrel took place between Jamadar Awadth bin Omar and his nephews, Husain and Munassar, over their right of succession and the division of their property. In September 1901. the Resident tried to bring about a settlement, but failed. A further conference at Aden in February

1902 was no more successful. Jamadar Awadth bin Omar went to India to lay his petition before the Viceroy, while his nephews returned to Shehr after signing a pledge not to interfere with the administration of their country. The agreement was broken, and in June the Resident, accompanied by Jamadar Awadth bin Omar, went to Shehr with an armed force. Husain submitted and was brought to Aden, Munassar following him shortly afterwards.

The settlement of the dispute between the Sultan and his nephews was then submitted to the arbitration of the Mansab. The latter in his decision awarded a large sum of money to Husain and Munassar and their families. They, however, refused to accept the award and in July 1904 left for India.

In 1902 the Government of India ordered the discontinuance of the title of Jamadar as the distinguishing appellation of the Chiefship, the use of which had already been discarded by the Aden Residency in view of the Chief's dislike to it, and directed the adoption of the term "Sultan."

Sultan Awadth bin Omar attended the Darbar held at Delhi on the 1st January 1903.

At the end of 1904 the Sultan purchased a share in the port of Balahaf from the Wahidi Sultan Saleh bin Abdulla, but Government refused to sanction the agreement.

In 1906 the Sultan's nephew Munassar writing to report the death of his brother Husain, endeavoured, but without success, to re-open the question of his differences with the Sultan.

The Sultan's tribesmen, including Bedouins, number about 60,000, and his gross annual revenue is estimated at Rs. 2,23,000.

(17)—*Sanaa.*

About the beginning of the seventeenth century, the English obtained a firman from the Governor of Mokha for the establishment of a factory and permission to trade on payment of a duty on goods, not exceeding 3 per cent. This deed was confirmed by the Turkish Pasha of Yemen. About the same time the Dutch established a factory at Mokha, which was then the great depôt for the trade of southern Arabia, and a century later a factory was also opened by the French. After the expulsion of the Turks in 1630 the whole of Yemen came under the government of the Imams of Sanaa; but at the time of Carsten Niebuhr's visit to Sanaa in 1763, the native Arab tribes of the provinces of Aden, Abu Arish, Taizz and others, had thrown

off allegiance to the Imams. In 1799, when the British Government took measures to oppose the expected invasion of India by the French, and to revise the lost trade of the Red Sea, Dr. Pringle was deputed to Sanaa with presents from the Governor-General, and obtained from the Imam, Ali Mansur, orders to the Governors of Mokha, Hodaida, and Lohaiyya to give every facility to trade. Two years afterwards an effort was made by Sir Home Popham, who had been constituted Ambassador to the States of Arabia, to negotiate a commercial treaty with Sanaa; but he was treated with indignity by the Governor of Mokha, and the terms of the proposed treaty were rejected by the Imam.

At the beginning of the nineteenth century, Imam Ali Mansur suffered severely at the hands of the Wahabis, who overran and wrested from him some of the best districts of his dominions. In 1816, however, Muhammad Ali Pasha, having destroyed the Wahabi power, restored these districts to Ahmad, the son and successor of Imam Ali Mansur, in consideration of an annual tribute of 100,000 dollars. Ahmed was succeeded in 1817 by his son, Abdulla, who was unable to retain the provinces which had been restored to his father.

In 1817, in consequence of a dispute in which an Arab had been temporarily detained at the factory at Mokha, the British Residency was attacked and plundered, and a British officer was dragged before the Governor, by whom he was subjected to every insult. After some delay a British squadron was sent to demand satisfaction for this outrage. On the 26th December 1820 the fort of Mokha was taken, and shortly afterwards a public apology was made for the indignity offered to the British Government and a Treaty (No. LXXVIII) was signed by the Imam of Sanaa and his Council, in 1821, defining the rights to be enjoyed by British subjects, and reducing the export duty on trade to 2¼ per cent. This treaty was framed in a slovenly and discreditable way, and it was afterwards discovered that serious discrepancies existed between the English version and the Arabic counterpart. The Imam refused to accept any modification. To preserve friendly relations, the British Government yielded every point, except one in the 6th article. The clause in the English version of that article, which stipulated that the servants of the factory should be amenable only to the jurisdiction of the Resident, was altogether omitted in the Arabic. The Imam was informed that all other points were conceded, but that, if he attempted to seize or punish any person, of whatever nation, in the exclusive employment of the Resident, the Resident would withdraw, and such further measures would be adopted as might seem to the British Government to be expedient.

In 1840 a Commercial Treaty (No. LXXIX) was concluded with Sharif Husain bin Ali of Mokha by Captain Moresby, similar to that concluded in the same year with the Chief of Zaila (*See* Somaliland and Shoa *infra*). Shortly afterwards the British flag was cut down, and the duties levied from British subjects were raised to 9 per cent. As Mokha had by this time fallen under the government of the Sublime Porte, it was doubtful whether Sharif Husain had any right to conclude a treaty as a principal. The British Government also objected to certain exclusive clauses in the treaty which were directed against the trade of other European nations. The dispute was amicably adjusted through Her Majesty's Ambassador at Constantinople, but the treaty was never ratified.

For many years the country of Sanaa was in a state of absolute anarchy. In 1832 Mokha and all the sea-coast fell under the suzerainty of the Turks. It was afterwards recovered for a time, but again finally lost in 1848. Ali Mansur, who succeeded his father as Imam of Sanaa in 1834, was deposed three years after. He again succeeded to power in 1844, on the death of his uncle, only to be once more deposed in 1845 by Muhammad Yahya, a distant relative of the family. Muhammad Yahya, in 1849, swore allegiance to the Porte, and agreed to hold Sanaa as a vassal of the Sultan, paying to him half the revenues and receiving a Turkish garrison in his capital. This so incensed the inhabitants that they rose against the Turks, massacred them, and reinstated Ali Mansur, who ordered Muhammad Yahya to be put to death. Within a few months Imam Ali Mansur fell into the hands of Ghalib, the son of Muhammad Yahya, who contented himself with confiscating his property. The people of Sanaa, however, refused to acknowledge the authority of Ghalib, and elected a governor, Shaikh Ahmad Ali Khemiah, from among their own body. Ghalib led a profligate life in an obscure village a few miles from Sanaa till 1858, when he was recalled and reinstated in the government with the title of Al Hadi, but with merely nominal power. During the internal revolutions in Sanaa and the desultory warfare with the Turks, the Imams repeatedly endeavoured to enlist the aid and advice of the British Government in their cause. A rigid abstinence however, was maintained from all interference in their affairs.

In 1856, nevertheless, when the Beni Asir tribe marched against Hodaida with a strong force, they were deterred from attacking it by the presence of two British ships which had been sent there for the purpose of protecting British subjects and their property. Moreover, cholera broke out in the camp of the besiegers and they retired in haste.

In 1867 the Beni Asir tribe again rebelled against the Turks and re-occupied the provinces from which they had been expelled. The distur-

bances were temporarily put down by Egyptian troops, but were renewed in November 1870. The Porte then preferred to deal with the revolt without the aid of the Khedive, and a force of 15,000 troops was despatched to Yemen by the Sultan. Before the arrival of this force in February 1872, the Al Asir had attacked Hodaida, but were repulsed by the Turkish garrison. The Turkish expeditionary force proceeded on arrival against Sanaa, which was captured in April 1872, since when Yemen has been administered by a Turkish Governor-General, whose head-quarters are at Sanaa. Hasan Edib Pasha was appointed to be Governor-General in June 1891. A rebellion which took place in the course of the year was put down by the Ottoman troops.

18.—Sokotra and Kishn.

The island of Sokotra lies about 150 miles off Cape Guardafui on the African coast and 500 miles from Aden. The sovereignty of the island invested in the Ahl Afrir family of the Mahri tribe of Arabs, who inhabit Kishn on the mainland.

The connection of the British Government with Sokotra commenced in 1834, when Captain Ross, of the Indian Navy, was sent on a mission to Sokotra, and concluded an Agreement (No. LXXX) with Sultan Ahmad bin Sultan of Fartash and his cousin, Sultan bin Amr of Kishn, by which they consented to the landing and storage of coal on the island by the British Government.

In 1835 negotiations were undertaken through Commander Haines with the Chief, Amr bin Saad Tawari, for the purchase of the island, and in anticipation of their success a detachment of European and Native troops was sent to take possession. The Chief, however, displayed an invincible reluctance to sell the island, or even to cede a portion of it as a coaling depôt, and the troops were withdrawn.

In 1838 the Chief proposed to farm the island to the British Government, but the capture of Aden, while the proposal was under discussion, rendered it unnecessary to secure Sokotra as a coaling station.

Sultan Amr bin Saad Tawari died about 1845, and was succeeded in the Sultanate of Sokotra and Kishn by his nephew, Tawari bin Ali, who in turn was succeeded by his grandson, Ahmad bin Saad. The latter was succeeded by his nephew, Abdulla bin Saad, who was followed by his cousin, Abdulla bin Salim. On the death of the latter he was succeeded by his son, Ali, the present Chief, who is childless, having had three sons who have predeceased him.

In January 1876, an Agreement (No. LXXXI) was concluded with the Sultan of Sokotra and Kishn, by which, in consideration of a payment of 3,000 dollars and an annual subsidy of 360 dollars, he bound himself, his heirs and successors, never to cede, sell or mortgage, or otherwise give for occupation, save to the British Government, the island of Sokotra or any of its dependencies, the neighbouring islands.

On the occasion of the Delhi Darbar of the 1st January 1877 a personal salute of 9 guns was granted to Sultan Ali bin Abdulla.

In 1886 he accepted (No. LXXXII) a British Protectorate, and bound himself to abstain from all dealings with foreign powers without the previous sanction of the British Government. At the same time he undertook to give immediate notice to the Resident at Aden or other British officer of any attempt by any other power to interfere with Sokotra and its dependencies.

In 1888 a similar Protectorate Treaty (No. LXXXIII) was concluded with Sultan Ali bin Abdulla, as head of the Mahri tribe, and an annual stipend of 120 dollars was granted to him.

In 1898 some of the cargo of the P. and O. S.S. *Aden* wrecked off Sokotra was plundered, and the Sultan had to be reminded of his obligations under the agreement of 1876.

The area of the island of Sokotra is about 1,000 square miles; its population, mostly Bedouin, about 5,000 souls. The gross annual revenue is estimated at Rs.1,000.

The Sultan of Sokotra and Kishn receives a salute of 9 guns, which was made permanent in 1902.

No. XV.

HIS EXCELLENCY the MOST NOBLE the MARQUIS WELLESLEY, KNIGHT of the MOST ILLUSTRIOUS ORDER of ST. PATRICK, one of HIS MAJESTY'S MOST HONOURABLE PRIVY COUNCILLORS over all the BRITISH POSSESSIONS in the EAST INDIES, being desirous of entering into a TREATY of AMITY and COMMERCE with SULTAN AHMED BIN ABDOOL KUREEM, SULTAN of ADEN and its DEPENDENCIES, has named, on his part, SIR HOME POPHAM, KNIGHT of the MOST SOVEREIGN ORDER of ST. JOHN of JERUSALEM, and AMBASSADOR to the STATES of ARABIA; and the said SULTAN has named AHMED BASAIB, PRINCE of ADEN, who having both met, and being satisfied with each other's powers, have agreed to the following Articles for the mutual benefit of their respective nations, but subject to the final ratification of HIS EXCELLENCY the MOST NOBLE the GOVERNOR GENERAL of INDIA.—1802.

ARTICLE 1.

That there shall be a commercial union between the Honourable the East India Company, or such British subjects as may be authorized by the Governor General of India, and the subjects of Sultan Ahmed Abdool Kureem.

ARTICLE 2.

The Sultan agrees to consider the ports of Aden as open for the reception of all goods brought on British ships, which goods or merchandize are to pay a duty of two per cent. and no more, for the space of ten years on the invoice or manifest of the goods, and no other charges whatever are to be exacted for anchorage, weighing or custom-house fees, by the Sultan or any of his Officers.

ARTICLE 3.

After the aforesaid term of ten years is expired, then the duties are to be raised to three per cent. and never to be made higher by the Sultan, his heirs and successors, on pain of forfeting the friendship and commercial intercourse of the British nation. The Sultan also binds himself not to make any other charges whatever on anchorage, weighing, or custom-house fees under the penalty before mentioned.

ARTICLE 4.

The same duties of two per cent. for the first ten years and three per cent. for ever after, are also to be paid on all goods exported from Aden, which are the produce of the Sultan's territories, or the country surrounding them; and no other charges or demands whatever are to be made on those goods by the Sultan or any of his Officers.

ARTICLE 5.

If, however, any goods are purchased by the Honourable the Company, or any British subjects in the town or the port of Aden, the produce of Africa, Abyssinia or any other country, not in the possession of the Sultan, then no duty is to be paid, as it is to be considered that such goods have paid a duty on their first being landed, and consequently the Sultan agrees that they shall not pay duty a second time.

ARTICLE 6.

The British subjects who use the ports of Aden shall have the privilege of transacting their own business, and not be obliged to commit it to the arrangement of any other person, nor forced to use any broker or interpreter whatever, unless they shall please to do so; and then such broker or interpreter to be a person of their own choice, and not subject to any control on the part of the Sultan.

ARTICLE 7.

It shall be lawful and free for the subjects of the British nation to make over their property to whomsoever they please, without any control, either in health or in sickness; and if any person, being a British subject, should die suddenly and without a will, then the whole of his property, after paying his just debts to the subjects of the Sultan, is to be vested in trust in the hands of the British Resident to be transmitted by him to the Supreme Government, or any other Presidency, for the benefit of his family and his lawful heirs.

ARTICLE 8.

That no dispute may hereafter arise about the person claiming the protection of the British flag, whether European or Native, a register shall be kept of all the British subjects residing at Aden, where evey person having a certificate from either of the Presidencies in India shall, by that certificate, be registered in the office of the Cadi and the British Resident, and if he fails to register himself, he shall not be entitled to the benefits contained in the seventh Article.

ARTICLE 9.

The benefit resulting from the seventh Article is to be considered as extending to any travelling merchants, or supercargoes, being subjects of

the British Government, and the crews of all the ships navigating under the British flag, upon a certificate being produced from the Commander of such ships to which they belonged at the time of making a will, or dying without one.

ARTICLE 10.

The Sultan binds himself, his heirs and successors, to give every assistance in his power to recover the debts due from any of his subjects to the British subjects; and that after three months from the time that any British subject shall send his demand to the Cadi for his assistance and prove a just debt, that then, if it is not paid, the Cadi shall have the power to order the property of the debtor to be seized and sold for the benefit of the creditor, but if the person owing the debt to the British subject has no property, then the Cadi shall confine him in gaol till some arrangement is made which is satisfactory to the British Government.

ARTICLE 11.

If any disputes arise between registered British subjects, they are to be referred to the British Resident, who is to give his award according to the best of his judgment, founded on the laws of his own country. This award to be final in any case not exceeding two thousand dollars; but above that sum it is to be subject to an appeal in the different Presidencies of India. If, however, either party refuses to comply with this award, then the Sultan is to give power to the Cadi to imprison the party, according to the request of the Resident. This Article is introduced for the purpose of establishing the most perfect regularity and harmony between the registered subjects of the British nation and those of the Sultan.

ARTICLE 12.

All disputes between the subjects of the Sultan and those of the British nation are to be settled by the established laws of the country.

ARTICLE 13.

The Sultan agrees, for the consideration of dollars, to give over a piece of ground on the west side of the town of yards by yards, for the use and purpose of the British nation, on which the Company may erect any house or building, and completely wall it in if it shall be judged necessary to do so; and the Sultan agrees to prevent any building whatever from being made within twenty yards in front of the said Company's wall or fifteen yards on either side.

ARTICLE 14.

The British nation not to be subject to any indignities, and to have free permission to enter the town by any gate or direction, and ride or use, without the least molestation whatever, either horse, mule, ass or any other beast which they may think proper.

ARTICLE 15.

If any soldier or British subject, not being a Mahomedan, should desert and go to the Cadi or other Officer of Government and offer to embrace the Mussulman religion, then the Cadi is to make a report to the Resident that he may claim him as a British subject; but if no claim is made after the expiration of three days from the time the report is made by the Cadi or other Officer, he is to act as he pleases with the person who so deserts from his own country.

ARTICLE 16.

The Sultan to give over a piece of ground as a public burying-place for all the British subjects who may die in the territories of the Sultan, and no charge to be made for the interment of any person except such as shall be agreed on for those who assist in the funeral.

ARTICLE 17.

Any other Articles which may be proposed by either of the parties and mutually agreed on may be hereafter entered in this Treaty, and the Ambassador on the part of the British Government is ready to convey any further proposition from the Sultan to the Governor General, or enter into a contract for the purchase of any quantity of coffee, or the delivery of any British goods, on the prices which may be mutually agreed on.

The above-written seventeen Articles of Treaty having been read and mutually considered by the Plenipotentiaries on both sides and the Sultan, the Sultan has put his hand and seal to a true copy in Arabic, and the British Ambassador has set his hand and seal to this English copy, on board of His Majesty's Ship the *Ranney* in Aden Roads, this 6th day of September 1802.

(Sd.) HOME POPHAM.

No. XVI.

TREATY of FRIENDSHIP between the ABDALEES and ENGLISH signed by SULTAN MUHSIN'S accredited AGENT and SON-IN-LAW—1839.

Bismillah Ir-Rehman Ir-Rehim Be Minnet Allah!

From this day and the future, Syud Mahomed Houssain bin Wais bin Hamed Suffrain gives this promise to Commander Haines, gentleman, on his own head in the presence of God, that there shall be friendship and peace, and everything good between the English and Abdalees. I promise

no wrong or insult shall be done, but it shall be peace and the British Government agree to the same. Sultan Muhsin and all interior Sultans agree to this, and I am responsible; all those even on the roads to the interior shall be kept from molesting any one by me, as they were when Sultan Muhsin possessed Aden. This is agreed upon between me and Commander Haines on the part of Government, and I promise to do even more than I have hitherto done, please God. I require respect from Commander Haines in return, and more than before if possible.

(Sd.) SYUD MAHOMED HOUSSAIN BIN WAIS.

17th Zilkadah, „ HASSAN KHATEEB.

The 2nd February 1839. „ S. B. HAINES.

TREATY between SULTAN MUHSIN and his CHILDREN and the ENGLISH through his accredited AGENT—1839.

This Treaty is formed between Syud Mahomed Houssain and Hassan Khateeb on account of the Sultan of Lahej and Commander Haines, the Agent to the Government.

On the word and promise of Sultan Muhsin, I promise that no insult or molestation shall take place on the road, or between the English and my people, and that all shall be peace and quietness; and I agree that between my people and your people there shall be no difference or oppression, and that the English agree that all shall be peace, and that all merchants shall be free to trade without oppression.

The witnesses to this are—

RASHED ABDOOLLAH.

HADJEE MAHOMED HOUSSAIN.

SHAH MINNATEE.

HADJEE JAFFER.

(Sd.) SYUD MAHOMED HOUSSAIN BIN WAIS.

„ HASSAN BIN ABDOOLLAH KHATEEB.

„ S. B. HAINES.

4th February 1839.

Approved by the Bombay Government on 23rd February 1839.

No. XVII.

TRANSLATION of a BOND entered into by SULTAN MUHSIN FADHL and his sons SULTAN AHMED BIN MUHSIN FADHL, ALI, ABDOOLLAH, and FADHL, with COMMANDER HAINES, the POLITICAL AGENT at ADEN—1839.

Sultan Muhsin Fadhl and his sons named above agree, with a view to the tranquillity of their territory, the protection of the poor and weak, the security of their tribe and the safety of the roads, that the Sultan shall be answerable for any outrages committed by his people on the roads, and that they shall not offer any opposition to the British Government; that the interests of both shall be indentical. The claim for the stipends due to Fadhlee, Yaffaee, Howshabee, and Ameer tribes shall be upon the British Government; Sultan Muhsin and his children, in perpetuity, and from generation to generation, shall receive from the British Government a stipend of 6,500 dollars annually, to begin from the month of Zilkaud Hegira 1254 (January-February 1839). The land from Khor Maksar to Lahej, as far as it is known to belong to the Abdalee tribe, is under the authority of the Sultan. In case of any attacks upon Lahej or the Abdalee tribe, or upon Aden or the British troops, we (the Sultan) and the British shall make a common cause. Any of our subjects entering Aden must be obedient to the British laws, and any of the British subjects, when in Lahej, must submit to our authority. If I (the Sultan) or my children proceed to and from Aden, we shall not be liable to any customs.

Dated Tuesday, 6th Rubeeoosanee Hegira 1255-18th June 1839.

Seal of Muhsin Fadhl.

Witnesses :

(Sd.) JAFFER, *Vakeel of Commander Haines.*
" HASSAN ABDOOLLAH ALI KHATEEB.
" ABDOOL SUTTA BIN ABDOOLLAH RUBEE.
" ALI BA ABDULLAH.
" ALI AHMED.

Ratified by the Right Honourable the Governor General of India on the 24th of October 1839.

(Sd.) T. H. MADDOCK,
Offg. Secy. to the Govt. of India, with the Governor General.

No. XVIII.

This TREATY is made by SULTAN MUHSIN FADHL, his heirs and successors, the tribes of the AZEIBEE and SELLAMEE, on their visit to ADEN on Saturday, the 27th day of Sharel Hadjel Haram—1258—1843.

Being anxious to make peace with the British Government, Captain Stafford Bettesworth Haines, in the name of the British Government, has given his consent and has made peace with Sultan Muhsin Fadhl and his adherents, and on this Treaty has Sultan Muhsin Fadhl placed his seal, and Captain Stafford Bettesworth Haines, on the part of the British Government, has set his seal. Inasmuch as peace is good and desirable for both parties, the Sultan Mushin Fadhl, of Lahej in the name of himself, heirs, successors, and the tribes of Sallamee and Azeibee, and captain Stafford Bettesworth Haines, on the part of Her Most Gracious Majesty Queen Victoria 1st, of Great Britain and Ireland, have made this holy agreement that between the two governments shall exist a firm and lasting friendship that shall never be broken from the beginning unto the end of all things, and to this agreement God is witness.

ARTICLE 1.

In consideration of the respect due to the British Government, Sultan Muhsin Fadhl agrees to restore the lands and property of all kinds belonging to the late Hassan Abdoolah Khateeb, Agent to the British at Lahej, after such property shall be proven. But the Sultan Mohsin expects in return that certain revenue and territorial books styled Deiras, said to be in the possession of the Khateeb family, should be restored to the government of Lahej, and then their persons shall be safe should they wish to go inland.

ARTICLE 2.

The Sultan will, on the same consideration, and has, in the presence of witnesses, settled all claims made by Shumaiel, the Jew, and he will also attend to all claims that may be brought against him during his fifteen days' residence in Aden.

ARTICLE 3.

Such transit duties as shall be hereafter specified shall be exacted by the Sultan, who binds himself not to exceed them. The Sultan will also, by every means in his power, facilitate the intercourse of merchants, and he shall in return be empowered to levy a moderate export duty.

ARTICLE 4.

The Sultan engages to permit British subjects to visit Lahej for commercial purposes and to protect them, allowing toleration of religion with the exception of burning the dead.

ARTICLE 5.

Should any British subject become amenable to the law, he is to be made over to the authorities at Aden; and in like manner are the subject of the Sultan to be made over to his jurisdiction.

ARTICLE 6.

The bridge at Khor Maksar is English property, and as such shall be kept in order by them; but should it be proved that it is destroyed by the followers of the Sultan, he shall repair it.

ARTICLE 7.

The Sultan binds himself, as far as he can, to keep the roads clear of plundering parties and to protect all merchandize passing through his territories.

ARTICLE 8.

British subject may, with the permission of the Sultan, hold in tenure land at Lahej, subject to the laws of the country; and in like manner may the ryots of the Sultan hold property in Aden subject to the British laws.

ARTICLE 9.

Such articles as the Sultan may require for his own family shall pass Aden free of duty; and in like manner all presents and all government property shall pass the territories of the Sultan free from transit duty.

ARTICLE 10.

With regard to the stipend of the Sultan, it entirely rests with Captain Haines and the British Government. The Sultan considers the British his true friends; and likewise the British look upon the Sultan of Lahej as their friend.

This Treaty is concluded on the 11th day of Shahr Mohurrum Al Haram Ashoor in the year of the Hejira 1258=11th February 1843.

Seal.

Seal.

(Sd.) S. B. HAINES, *Captain, I.N., etc.,*
Political Agent, Aden.

No. XIX.

The following further BOND was entered into by the SULTAN of LAHEJ on the 20th February 1844, previous to the renewal by Government of payment of his monthly STIPEND of five hundred and forty-one GERMAN CROWNS, which had been stopped in consequence of his having BROKEN his former ENGAGEMENTS.

ARTICLE 1.

The Right Honourable the Governor General of India having been graciously pleased to grant to me a mothly salary of 541 German crowns, so long as I continue to act honestly and amicably towards the British, in every respect adhering to the terms of my late Bond, dated 11th February 1843, especially sworn and delivered to Stafford Bettesworth Haines, Esq., Captain in the Indian Navy, and Political Agent at Aden.

ARTICLE 2.

I hereby solemnly attest the religious sincerity thereof, and moreover declare that in all things relating to the peace, progress, and prosperity of Aden, I will use every effort to avert calamity, and lend my utmost aid to support the interests of the Birtish flag; and I will conform in all intention and purpose to the articles specified in my late Bond, dated 11th February 1843.

ARTICLE 3.

I further bind myself, by oath, that should any breach of faith or trespass on the aforesaid Bond, either as concerning myself, children, Chiefs, or any other person or persons of my tribe, or those in my pay or any individual whomsover in any way or by any means connected with my government or under my jurisdiction, or should one or any of the aforesaid persons be in any manner convicted of having been privy to or accessory to such breach of faith, or trespass on the Treaty, or of committing any act of plunder whatever on the roads leading into Aden from the interior, to take the whole responsibility on myself and to be answerable to the British; and if I or other above mentioned, either openly or by secret machination, protect any offender, and do not render entire satisfaction to the British, I freely and solemnly swear to relinquish all claim to the salary granted by the Right Honourable the Governor-General of India and declare myself perjured before all men.

ARTICLE 4.

I further swear that, if I do not strictly abide henceforth by the Bond dated 11th February 1843 and the above-mentioned conditions, all claim I

may have on the kindness, friendship and generosity of the British Government is rendered null; and consequently, for any breach of truth or aggression on my part for the future, I render myself open to the severest retribution.

Dated the 20th February 1844.

Seal of the Sultan.

(Sd.) SULTAN MUHSIN FADHL.

„ S. B. HAINES, *Captain, I.N., and Political Agent at Aden.*

No. XX.

To secure COMMERCIAL ADVANTAGES with FRIENDLY INTERCOURSE, GOOD WILL, and LASTING PEACE to both powers, this TREATY is made, agreed to, sealed and signed by those possessing full power and authority, *viz.*, SULTAN ALI IBN MUHSIN FADHL, for himself, his heirs and successors, also for the AZEIBEE and SELLAMEE TRIBES, and all other tribes and divisions of tribes under his government, authority, or control, and STAFFORD BETTESWORTH HAINES, ESQ., CAPTAIN in the INDIAN NAVY, and POLITICAL AGENT, ADEN, being invested with full power so to do from the RIGHT HONOURABLE the GOVERNOR-GENERAL of INDIA, but it must be subject to the final ratification of the GOVERNMENT of INDIA—1849.

Inasmuch as peace and commercial intercourse and prosperity is good and desirable among all nations, and particularly advantageous to the powers above named, the Sultan Ali Muhsin Fadhl of Lahej, in the name of himself, heirs, successors, and all tribes under his government, control, and authority, and Captain Stafford Bettesworth Haines, on the part of the Right Honourable the Governor-General of India, make this agreement, that between the two governments shall exist a firm and lasting friendship which shall never

be broken, and both parties agree to and ratify, under seal and signature, the following Articles :—

ARTICLE 1.

In consideration of the respect due to the British Government, Sultan Ali Muhsin Fadhl binds himself to secure to the rightful owners all ground, household or other property, that may be within the limits of his territory belonging to the British subjects of Aden, and that their persons or agents shall be safe and respected should they proceed inland to look after and collect the rents of such property, or for any other correct purpose.

ARTICLE 2.

Sultan Ali Muhsin Fadhl engages to permit British subjects and all inhabitants of Aden to visit Lahej, or any part of his territory, for either commercial purposes or pleasure excursions; he will ensure them protection and full toleration of religion, with the exception of burning the dead.

ARTICLE 3.

Should any British subject become amenable to the law, he is to be made over for trial and punishment to the authorities at Aden.

ARTICLE 4.

British subjects may, with the permission of the Sultan of Lahej, hold in tenure land at Lahej, or other towns or villages in his territory, subject to his law; and in like manner may the ryots of the Sultan of Lahej hold property in Aden, subject to British law and jurisdiction.

ARTICLE 5.

The bridge of Khor Maksar, and the plain between it and the mountains of Aden forming the isthmus, is British property, and no further north.

ARTICLE 6.

Sultan Ali Muhsin Fadhl binds himself to keep the roads leading to Aden clear of plundering parties, and to protect all merchandize passing through his territory, punishing, if in his power, all who plunder, molest or injure others.

ARTICLE 7.

Such articles as the Sultan of Lahej may personally require for his own household shall pass Aden free of all custom duty; and in like manner all government property shall pass the territories of the Sultan free from transit duty.

The Sultan of Lahej binds himself to levy only the following transit duties within his territory upon all goods passing into Aden from the hills, *viz.*, belonging to British subjects:—

Wheat	2 per cent. upon inland value.
Jowari	2 „ „ „
Flour	2 „ „ „
Ghee	2 „ „ „
Grass and fruits of kinds	2 „ „ „
Honey	2 „ „ „
Fooah	2 „ „ „
Dholl	2 „ „ „
Senna	2 „ „ „
Gums, frankincense, etc.	2 „ „ „
Worruss	2 „ „ „
Coffee	2 „ „ „
Khaut	2 „ „ „
Vegetables, Wood, Grass and kirby	Free of duty, being the growth of the Abdalee territory.

and 2 per cent. upon all articles not enumerated.

Articles passing out from Aden into his territory—

Outub cotton	2 per cent.
Snuff	2 „
Pepper	2 „
White and cotton cloths	2 „
Iron lead	2 „
Hookahs	2 „
Dates	2 „

and 2 per cent. on all articles not enumerated above.

ARTICLE 8.

Sultan Ali Muhsin Fadhl binds himself to encourage the growth of all kinds of European and Native vegitables for the Aden market.

ARTICLE 9.

Sultan Ali Muhsin Fadhl most solemnly attests the religious sincerity of this agreement, and moreover declares that in all things relating to the peace, progress, and prosperity of Aden, he will lend his utmost aid to support the interest of the British, and will listen to and, if possible, attend to the advice of, the British Government representative in Aden in all matters.

ARTICLE 10.

Sultan Ali Muhsin Fadhl further binds himself, by oath, that should any breach of faith or trespass on the aforesaid Bond, either as concerning himself, children, relatives, Chiefs or any other person or persons of his tribe, or those in authority under him or in his pay, or by any means connected with this Government or under his jurisdiction, or should one or any one of the aforesaid persons be in any manner convicted of having been privy to, or accessory to, such breach of faith, or trespass on the treaty, or of committing any act of plunder on the roads leading to Aden through his territory, to take the whole responsibility on himself and to be answerable to the British Government. Further, if he, or any other above mentioned, either openly or by secret machination, protect any offender, and do not render entire satisfaction to the British, and for any breach of the above articles, he freely and solemnly swears to relinquish all claims to the salary (hereafter mentioned) granted by the Right Honourable the Governor-General of India and declares himself a perjured man.

ARTICLE 11.

Stafford Bettesworth Haines, Captain in the Indian Navy, and Political Agent at Aden, being duly authorised, does hereby solemnly promise, in the name of the Right Honourable the Governor-General of India, to pay to Sultan Ali Muhsin Fadhl, his heirs and successors, the sum of five hundred and forty-one German crowns per month, so long as he or they continue to act with sincerity, truth and friendship towards the British, and in every respect strictly adhering to the terms of this treaty.

This treaty is concluded and agreed to this seventh day of March, in the year of Our Lord one thousand eight hundred and forty-nine.

In witness whereof we have set our seal and signature.

Seal.

(Sd.) S. B. HAINES, *Captain, I.N.,*
Political Agent.

Ratified by the most Noble the Govenor General of India on the 30th October 1849.

(Sd.) H. M. ELLIOT,
Secretary to the Govt. of India,
with the Govr.-Genl.

No. XXI.

TERMS of CONVENTION entered into between SULTAN FADHL BIN MUHSIN ABDOOLLAH, on the one hand, and LIEUTENANT COLONEL W. L. MEREWETHER, on the part of HER MAJESTY'S INDIAN GOVERNMENT, on the other, this 7th day of March 1867, in regard to an AQUEDUCT to be made between SHEIKH OTHMAN and ADEN, and, if necessary, from a more distant point, for the purpose of supplying the GARRISON and TOWN of ADEN with a sufficiency of FRESH WATER—1867.

ARTICLE 1.

The work of the aqueduct to be entirely carried out by the British Government; and in the first instance everything to make the scheme complete, including camels for the Persian wheels, to be given by the British Government.

ARTICLE 2.

When the aqueduct has been finished and it has been put into complete working order, its future maintenance to rest with the Sultan of Lahej, cost of repairs and renewal of stock being paid for by him out of his share of the profits realised by sale of the water.

ARTICLE 3.

The works at Sheikh Othman or at Dhurub, if the aqueduct is extended to the latter place, as well as the whole line of aqueduct from those places to Aden, to be watched and protected by the Sultan of Lahej.

ARTICLE 4.

The remains of the old aqueduct to be given free for use in the construction of the new work. In return for the use of the water and what he binds himself to perform, the Sultan of Lahej to receive half of the amount * realised by the sale of the water in Aden; account to be rendered and amount to be paid over monthly.

* Sale price, 1 rupee per 100 gallons.

ARTICLE 5.

Repairs, when necessary, to be executed through the Resident, who will then, before payment of monthly profits to the Sultan of Lahej, deduct the whole or a portion of the cost thereof, as he deems right.

ARTICLE 6.

A good road, 45 feet broad, clear and level, to be made by the Sultan of Lahej out of the profits from the Khor Maksar to Sheikh Othman and

on to Dhurub if the aqueduct be extended there. The road may be made under the direction of the Resident, who will recover the cost in the same manner as for repairs.

ARTICLE 7.

The British Government to make a similar road from the Khor Maksar into Aden.

ARTICLE 8.

The above to be binding on Sultan Fadhl bin Muhsin bin Abdoollah, Sultan of Lahej, and his successors.

(Sd.) FADHL BIN MUHSIN,
Sultan of Lahej.
„ W. L. MEREWETHER, *Lieut.-Col.*,
Resident, Aden.

No. XXII.

AGREEMENT concluded between the ABDALI and the HAUSHABI regarding the ZAIDA lands—1881.

In the name of the Most Merciful God!

Considering it necessary to put a stop to the long existing disagreement between the Abdali and the Haushabi since the former took Zaida from the latter, which has been the frequent cause of correspondence, bloodshed, and disputes between the above two tribes and Sultans: and whereas these two tribes and their Sultans are the friends of the British Government, which does not desire any quarrel or disagreement between its friends: and whereas a settlement of this long-standing dispute will lead to permanent peace, and remove for ever the cause of the misunderstanding and create good-feeling between both tribes, therefore Brigadier-General Francis Loch, C.B., Political Resident at Aden, being duly authorised on behalf ot the British Government, doth hereby covenant with the aforesaid Fadthl bin Ali Mohsin Fadthl-al-Abdali, Sultan of Lahej, and Ali bin Mani, Sultan of the Haushabi, that these two Sultans on behalf of themselves, their heirs and successors, shall agree to the terms and conditions herein set forth.

ARTICLE 1.

Sultan Fadthl bin Ali Mohsin Fadthl will give Sultan Ali bin Mani, the Haushabi, his heirs and successors, 300 'dimds' (acres) of land at Zaida in the river Khilaf for cultivation, and will allow the said Sultan Ali bin Mani to build a house at Al-Anad, and will give him 500 for the expenditure of the said building.

ARTICLE 2.

Sultan Ali bin Mani, the Haushabi, his heirs and successors, will not be permitted to place under cultivation more than 300 acres of land in the vicinity of Zaida.

ARTICLE 3.

If the Resident sees that the fields of the Lahej district have suffered on account of waste of water caused by Sultan Ali bin Mani, the Haushabi, he will adopt proper measures towards it.

This agreement is concluded and agreed to on Thursday this 5th day of May in the year of our Lord 1881, corresponding with the 7th day of Jomad-al-Akhir, 1298 al-Hijra.

In witness whereof we have settled our hand and seal.

(Sd.) MOHAMMED MOHSIN BIN FADTHL,
for himself and
SULTAN FADTHL BIN ALI MOHSIN,
Sultan of Lahej.

Witnesses
(Sd.) AHMED ALI MOHSIN.
„ AHMED FADTHL MOHSIN.
„ SAYYID UMAR HUSAIN AL-WAHSH,
Kadthi of Lahej.

(Sd.) FRANCIS LOCH, *Brigadier-General,*
Political Resident, Aden.

Witnesses
(Sd.) LANGTON PRENDERGAST WALSH,
Acting Second Assistant Political Resident.
„ SALEH JAFFER,
Residency Interpreter.
„ ALI MANI,
Sultan-Al-Haushabi.
„ ABDALLA BA ALI SALAM.
„ MANI SALAM MANI.

Signed and sealed on the 14th July 1881 in the presence of—

(Sd.) FRANCIS LOCH, *Brigadier-General,*
Political Resident, Aden.

„ FRED. HUNTER, *Major,*
Assistant Resident.

„ SALEH JAFFER,
Residency Interpreter.

No. XXIII.

THE SUBAIHI AGREEMENT.

AGREEMENT entered into by the ABDALI, placing the SUBAIHI under their control—1881.

In the name of the Most Merciful God!

As a further proof of the friendship existing between the British Government and the Sultan of Lahej, at present Fadthl bin Ali Mohsin Fadthl Al-Abdali, assisted by his uncle Mohammed Mohsin and the other descendants of the late Mohsin Fadthl, and in order that the power, authority, and greatness of the Abdali may be increased, therefore Brigadier-General Francis Loch, C.B., Political Resident at Aden, being duly authorised on behalf of the British Government, doth hereby covenant with the aforesaid Fadthl bin Ali Mohsin Fadthl Al-Abdali, Sultan of Lahej, on behalf of himself, that the Abdali Sultans and their heirs and successors shall hereafter be acknowledged as exercising sovereign authority over the territory occupied by all the tribes of the Subaihi, and including the Mansuri, Makhdumi, Rujai and Dubaini, which three former are at present stipendiaries of the British Government, but excluding such as at present acknowledge Turkish supremacy.

As another proof in furtherance of the foregoing object, Sultan Fadthl bin Ali Mohsin Fadthl Al-Abdali hereby binds himself, his heirs and successors to observe the following conditions:—

ARTICLE 1.

As soon as the said Sultan Fadthl bin Ali Mohsin Fadthl-al-Abdali shall sign this agreement, he engages to be responsible for all acts of plunder or outrages of any kind whenever committed by the Subaihi, and binds himself to make immediate and complete restoration or compensation in such cases for all wounds or loss of lives or property.

ARTICLE 2.

No treaty or agreement of any kind is to be entered into with any other State for the sale, mortgage, lease, or hire or gift of any portion of the territory now or hereafter subject to the authority of the Sultans of the Abdali without the consent of the British Government.

ARTICLE 3.

No forts or buildings are to be erected on the sea-coast without the permission of the Resident at Aden. Nor are arms, ammunition, slaves, merchandise, spirituous liquors or intoxicating drugs to be landed or embarked at any part of the coast without the sanction of the Resident being previously obtained.

ARTICLE 4.

No new taxes to be levied by the Abdali on goods passing through the Subaihi territory to Aden, nor are the Subaihi to be allowed to levy any taxes on their own account.

ARTICLE 5.

If one or more Subaihis commit outrages on the road, and the Sultan of the Abdali fail to exact the booty from them on account of their having taken refuge in Turkish territory, the Abdali Sultan will not be responsible for such people after doing his utmost in recovering the booty and in arresting the plunderers.

So long as the foregoing stipulations are complied with by the Sultans of the Abdali, the British Government will make guarantee the following arrangements and concessions:—

ARTICLE 1.

The stipend at present paid to the Makhdumi, Mansuri, Rujai and Dubaini will be handed over to the Abdali Sultan.

ARTICLE 2.

No Subaihi will be received or entertained at Aden as guests of the British Government, unless a letter of recommendation be procured from the Sultan of Lahej.

ARTICLE 3.

The Resident binds himself not to allow Sultan Ali bin Mani, the Haushabi, to divert kafillas from their customary road, which leads through Al-Hauta or the Abdali territory.

This agreement is concluded and agreed to on Thursday, the 5th day of May, in the year of Our Lord 1881, corresponding with the 7th day of Jomad-al-Akhir, 1298 Al-Hijri.

In witness whereof we have settled our hand and seal.

Signed by MOHAMMED MOHSIN FADTHL for himself and SULTAN FADTHL BIN ALI MOHSIN,
Sultan of Lahej.

Witnesses.
(Sd.) AHMED ALI MOHSIN.
" AHMED FADTHL MOHSIN.
" OMAR HUSAIN AL-WAHSH,
Kadthi of Lahej.

(Sd.) FRANCIS LOCH, *Brigadier-General,*
Political Resident, Aden.

Witnesses.
(Sd.) L. P. WALSH, *Assistant Resident.*
" SALEH JAFFER, *Residency Interpreter.*

(Sd.) RIPON,
Viceroy and Governor-General of India.

This agreement was ratified by His Excellency the Viceroy and Governor General of India at Calcutta on the twenty-first day of January A.D. one thousand eight hundred and eighty-two.

CHARLES GRANT,
Secretary to the Government of India,
Foreign Department.

No. XXIV.

AGREEMENT with the ABDALI SULTAN for the purchase of SHAIKH 'OTHMAN, etc.—1882.

Articles of a treaty existing between Sultan Fadthl bin 'Ali Mohsin Fadthl-al-'Abdali, Sultan of Lahej and its dependencies, on behalf of himself, his uncles and his and their heirs and successors, on the one part and Major-General Francis Loch, Commander of the Most Honourable Order of the Bath and Political Resident at Aden, on behalf of the Government of India, on the other part.

Whereas by Article V of a treaty concluded on the 7th March 1849 between Stafford Bettesworth Haines, Captain in the Indian Navy and Political Agent at Aden, on behalf of the Government of India, and Sultan 'Ali Mohsin Fadthl, on behalf of himself, his heirs and successors, it was agreed that the bridge of Khor Maksar and the plain between it and the mountains of Aden, forming the Isthmus, are British property and no further north; and whereas a sum of dollars (541) five hundred and forty-one is under the before-mentioned treaty payable monthly to the said Sultan 'Ali Mohsin Fadthl, his heirs and successors, so long as he or they continue to act with sincerity, truth and friendship, towards the British, and adhere strictly to the terms of the aforesaid treaty; and whereas Sultan Fadthl bin 'Ali Mohsin Fadthl for himself, his uncles and his and their heirs and successors, has agreed to sell to the British Government for a sum of dollars (25,000) twenty-five thousand only and an increase, to the present subsidy of dollars (541) five hundred and forty-one, of dollars (1,100) one thousand and one hundred per mensem, of which (600) six hundred are for the profit of water and (500) five hundred for that of salt, making in all dollars (1,641) one thousand six hundred and forty-one per mensem, all that (tract of) land lying to the north of the peninsula of Aden, and bounded by a line commencing from a point on the sea-shore one and five-sixteenths of a mile due east of the north end of the Khor Maksar causeway and running north-east by north seven and a quarter miles to a point on the coast line. From hence the boundary passes from the sea westward three and a quarter miles to a point near Inad. From this point the boundary line, after passing through an imaginary point one mile north of the Wali of Shaikh 'Othman, extends to a mark on the bank of the Wadi Toban situated one mile inland. From this point the boundary runs south-south-west to the sea.

ARTICLE 1.

This therefore witnesseth that the said Sultan Fadthl bin 'Ali Mohsin Fadthl, in pursuance of the conditions of this treaty and in consideration of the sum of dollars (25,000) twenty-five thousand already received and the monthly increase of the subsidy of dollars (1,100) one thousand one hundred agreed to be paid to him by the British Government, doth hereby for himself, his uncles and his and their heirs and successors, cede and confirm unto the (hands of the) said British Government all that portion of territory as herein above described, to be retained by the said British Government for ever as a part of its territories; and the said Sultan Fadthl bin 'Ali Mohsin Fadthl does further bind himself, his uncles and his and their heirs and successors, to make no claim hereafter on the said tracts of land or any revenue derived from them.

ARTICLE 2.

And the said Major-Genral Francis Loch, C.B., Political Resident of Aden, being duly authorized does hereby solemnly promise in the name of His Excellency the Governor General in Council to pay to the said Sultan Fadthl bin 'Ali Mohsin Fadthl, his heirs and successors, the sum of dollars (1,641) one thousand six hundred and forty-one made up as aforesaid per mensem.

ARTICLE 3.

And the said Sultan Fadthl bin 'Ali Mohsin Fadthl on the one part and the said Major-General Francis Loch, C.B., Political Resident at Aden, being duly authorized on the other part, do declare that the convention made and signed on the 7th day of March 1867 in regard to the aqueduct between Shaikh 'Othman and Aden by Sultan Fadthl Mohsin Fadthl on the one part and Lieutenant-Colonel W. L. Merewether, Political Resident at Aden, on the other part, is hereby cancelled.

ARTICLE 4.

So long as the Sultan of Lahej possesses the right to levy the taxes on goods entering Aden by land as heretofore, he will be permitted to collect his dues as at present (he is doing) in British territory at the rates mentioned in the treaty of 1849.

ARTICLE 5.

If any soldier of the Sultan of Lahej escape to British territory, and he is required by the Sultan, the Resident will send him; and in the same manner if any of the Sultan's subjects, after committing an heinous offence of the kind for which the British Government is accustomed under similar circumstances to grant extradition, takes refuge in Shaikh 'Othman, Imad or Aden, and is required by the Sultan, and if there is reasonable ground for believing that he has committed the offence, the Resident will also send him back; and the Sultan agrees on his part to send back British soldiers or subjects who escape to Lahej or its territory from Aden or its dependencies if their extradition be demanded.

ARTICLE 6.

If the Resident require the services of any 'Abdali, he will employ him through the Sultan, and in case the 'Abdali or 'Abdalis resign, or are dismissed, and if they are replaced by other 'Abdalis, the Resident will ask for them through the Sultah.

ARTICLE 7.

And the territories of the said Sultan Fadthl bin Ali Mohsin Fadthl, his heirs and successors, shall remain under British protection as heretofore.

Done at Shaikh 'Othman on Monday, the sixth day of February, in the year of Our Lord one thousand eight hundred and eighty-two, corresponding with the 17th day of Rabi-al-Awwal of the year 1299 of the Hizra.

(SIGNED IN VERNACULAR.)

Seal.

Sultan of Lahej and its Dependencies.

In the presence of—

(Sd.) F. M. HUNTER, *Major,*
Assistant Resident, Aden.

„ OMAR HOOSAIN MAHMUD-AL-WAHSH.

Done at Aden on Tuesday, the seventh day of February, in the year of Our Lord one thousand eight hundred and eighty-two, corresponding with the eighteenth day of Rabi-al-Awwal of the year 1299 of the Hizra.

Seal.

(Sd.) FRANCIS LOCH, *Major-General,*
Political Resident, Aden.

In the presence of—

(Signed in vernacular.)

(Sd.) F. M. HUNTER, *Major,*
Assistant Resident, Aden.

Seal.

(Sd.) RIPON,
Viceroy and Governor-General of India.

This treaty was ratified by His Excellency the Viceroy and Governor General of India, at Calcutta, on the 7th day of March 1882.

(Sd.) C. GRANT,
Secretary to the Government of India, Foreign Department

No. XXV.

Protectorate Treaty—Haushabi.

The British Government and Mohsin bin 'Ali 'Mani, the Haushabi Sultan of Musaimir-bin-'Ubaid, Ar-Raha and the Haushabi country with their dependencies, being desirous of maintaining and strengthening the relations of peace and friendship existing between them.

The British Government have named and appointed Brigadier-General Charles Alexander Cuningham, Political Resident at Aden, to conclude a treaty for this purpose.

The said Brigadier-General Charles Alexander Cuningham and Sultan Mohsin bin 'Ali 'Mani, the Haushabi aforesaid, have agreed upon and concluded the following articles:—

Article I.

The British Government in compliance with the wish of the undersigned Sultan Mohsin bin 'Ali 'Mani the Haushabi, hereby undertakes to extend to Musaimir-bin-'Ubaid, Ar-Raha and the Haushabi country with their dependencies, which are under his authority and jurisdiction the gracious favour and protection of Her Majesty the Queen-Empress.

Article II.

The said Sultan Mohsin bin 'Ali 'Mani, the Haushabi, agrees and promises on behalf of himself, his relations, heirs, successors and the whole tribe to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or power, except with the knowledge and sanction of the British Government, and further promises to give immediate notice to the Resident at Aden or other British officer of the attempt by any other power to interfere with Musaimir-bin-'Ubaid, Ar-Raha and the Haushabi country and their dependencies.

Article III.

The said Sultan Mohsin bin 'Ali 'Mani, the Haushabi, hereby binds himself, his relations, heirs, successors and the whole tribe for ever, that he or they will not cede, sell, mortgage, lease, hire, or give, or otherwise dispose of the Haushabi territory and its dependencies, or any part of the same at any time to any power or person other than the British Government.

ARTICLE IV.

The above treaty shall have effect from this date. In witness whereof the undersigned have affixed their signatures or seals at Aden this sixth day of August, one thousand eight hundred and ninety-five, A.D.

(Sd.) C. A. CUNINGHAM, *Brigadier-General*
Political Resident, Aden.

Witness—

(Sd.) W. B. FERRIS, *Major,*
First Assistant, Political Resident.

I, Fadthl bin 'Ali Mohsin Fadthl al 'Abdali, Sultan of Lahej, certify that Mohsin bin 'Ali 'Mani, the Haushabi Sultan, enters into this treaty under my auspices and signs it with my full knowledge and consent.

(Sd.) FADTHL BIN 'ALI MOHSIN,
Sultan of Lahej.

(Sd.) ELGIN,
Viceroy and Governor-General of India.

This treaty was ratified by the Viceroy and Governor-General of India in Council at Simla on the 20th day of October, A.D., one thousand eight hundred and ninety-five.

(Sd.) W. J. CUNINGHAM,
Secretary to the Government of India,
Foreign Department.

No. XXVI.

ENGAGEMENT entered into on the 19th February 1839 by SHEIKH MAHOMED SYUD, the MUSAIDEE, and SHEIKH JWAS ABDOOLLAH, SHEIKH MAHOMED BIN AHMED, SHEIKH KOIEL, of the MUSAIDEE TERRITORY of the SUBAIHEES, and COMMANDER HAINES, of the INDIAN NAVY, on behalf of the HONOURABLE EAST INDIA COMPANY.

Between us there shall be friendship and lasting peace; our wishes shall be one of kindness. Aden shall be at peace with us, and the subjects

of both countries shall be at peace. No molestation or insult shall be offered in their intercourse with each other.

(Signed by the Chieftains.)

Dated 19th February 1839.

Witnesses:

(Sd.) ABDOOL RAZZAK, *Cazee of Aden.*

„ JAFFER BIN MOOLLA ABDOOLLAH.

ENGAGEMENT of PEACE and FRIENDSHIP entered into on the 20th February 1839 by SHAIKH MAHOMMED BIN ALI BUSALEE, of the SOUTHERN SUB-DIVISION of the SUBAIHEE, with COMMANDER HAINES, of the INDIAN NAVY, on behalf of the HONOURABLE EAST INDIA COMPANY.

Between us there shall be lasting friendship and peace, and we agree to it in the presence of God. Our friendship shall be as one.

There shall be peace with Aden, and the subjects of my tribe and the subjects of the British shall have free intercourse, and not be molested or insulted in either's territory.

Any breach of this treaty or of the roads to the Red Sea being infested with robbers, shall be on the head of Shaikh Mahomed bin Ali, and he will be answerable that no kafilas shall be molested. This Shaikh Mahomed bin Ali not only promises in his own district, but in that of the tribe of Artefee, whom he also controls.

If property, either from Aden or from the Subee territory, wishes to pass through the other territory, it shall be respected and protected; and for any infringement Shaikh Mahomed Busalee shall be answerable.

(Sd.) SHAIKH MAHOMED BIN ALI AL-BUSALEE.

Dated 20th February 1839.

Witnesses:—

(Sd.) SYUD ALOWI.

„ ALI BIN ABDOOLLAH.

„ SHEIKH ARSEL EL-MUSAIDEE.

(Sd.) S. B. HAINES.

TREATY between SYUD MAHOMED JAFFER BIN SYUD AIDROOS, CHIEF of WAHAT and all under him, and COMMANDER HAINES, AGENT of GOVERNMENT—1839.

We agree to lasting peace and friendship.

Aden is open for our free intercourse and friendship, and so is our country to each other, and both parties agree there shall be no oppression or insult.

(Sd.) SYUD MAHOMED JAFFER BIN SYUD AIDROOS.

Dated 2nd February 1839.

ENGAGEMENT entered into on the 18th February 1839 between SHEIKH JWAS BIN SALLAAM AL-ABBADEE and his tribe with COMMANDER HAINES, of the INDIAN NAVY, on behalf of the HONOURABLE EAST INDIA COMPANY.

Between our respective territory there shall be peace and friendship, and Aden shall be at peace with the Abbadees.

A free intercourse for barter shall be permitted without insult or oppression; and in proof of the faith of this, Sheikh Jwas bin Sallaam agrees that this people shall not molest or plunder on the roads leading to Aden, and if any such misdemeanour occurs, he will be answerable.

(Sd.) JWAS BIN SALLAAM AL-ABBADEE.

Dated 13th February 1839.

Witness:

(Sd.) SYUD ALOWI.

(Sd.) S. B. HAINES.

ENGAGEMENT of PEACE and FRIENDSHIP entered into on the 18th February 1839 by SHAIKH MEHDI BIN ALI ZABAREE with COMMANDER HAINES, of the INDIAN NAVY, on behalf of the HONOURABLE EAST INDIA COMPANY.

Between us and our countries there shall be peace and friendship; it shall be lasting; our interest shall be one.

We agree that Aden and the English shall be at peace with my tribe, and that the subjects of either may enter the other's territory, and shall neither be oppressed nor insulted but treated with friendship. This we promise on both sides.

Whoever may enter Aden of Shaikh Mehdi's tribe shall be respected and allowed free intercourse, attending of course to the laws.

If robbery on the roads takes place, either by Shaikh Mehdi's tribe or any other within his district, he will be responsible.

(Sd.) SHAIKH MEHDI BIN ALI.

Dated the 18th February 1839.

Witnesses:

(Sd.) MAHOMED HOUSSAIN.

SYUD ALOWI.

(Sd.) S. B. HAINES.

ENGAGEMENT entered into on the 18th February 1839 by the SHAIKH of ZAIDEE, SHAIKH SALLAH AL-MIODEE, with COMMANDER HAINES, of the INDIAN NAVY, on behalf of the HONOURABLE EAST INDIA COMPANY.

Between our respective countries there shall be peace and friendship, and Aden be at peace with us. The subjects of either may enter the other's territory without being subject to insult or oppression, merely attending to the laws.

(Sd.) SHAIKH SALLAH AL-MIODEE.

Dated the 18th February 1839.

Witness:

(Sd.) ABDOOL RAZZAK, *Cazee.*

(Sd.) S. B. HAINES.

ENGAGEMENT of FRIENDSHIP and PEACE entered into, on the 10th March 1839, by AOUN BIN YOOSOOF AL-SHERZEBEE with CAPTAIN HAINES, of the INDIAN NAVY, on behalf of the HONOURABLE EAST INDIA COMPANY.

This paper is my witness, and is written by Shaikh Kasim bin Syud Sherzebee, and the interpretation is good. I am a friend and a great

friend with the English ; it is true and permanent friendship. I trust in God that it will never be otherwise, and that nothing wrong shall ever take place, not even the slightest insult. My people shall enter your territory, and yours mine, as friends. Whatever the English please shall be done, and there shall never be two words. I will always act upon your seal, whatever it may be. Our friendship is known to God, and He is witness to it.

(Sd.) AOUN BIN AL-YOOSOOF SHERZEBEE.

Dated the 10th March 1839.

Witnesses :

(Sd.) SYUD ALOWI BIN ZAIN BIN SYUD AIDROOS.

,, HADJEE JAFFER.

,, SHEIKH OTHMAN. (Sd.) S. B. HAINES,
Political Agent.

No. XXVII.

TRANSLATION of an AGREEMENT entered into by cetrain SECTIONS of the SUBAIHEE TRIBE for the PROTECTION of the ROADS at ADEN—1871.

The reason of writing this is as follows :—

Whereas there has been much delay and inconvenience caused to travellers in their journeys to and from Aden, this agreement has been made with the Political Resident at Aden in order that henceforward facilities may be placed in the way of those who travel upon the roads.

Therefore we, whose names are hereunto subscribed, namely Abdoollah bin Khadhar, the Mansooree, Naseer bin Khadhar, the Mansooree, Ahmed Tukkee, the Mansooree, Ibraheem Sayf, the Khaleefee, Ali bin Ahmed, the Khaleefee, Abd Ahmed bin Mahamed Saeed, the Atawee, Hasan Nooman, the Khaleefee, do hereby agree with Major-General Charles William Tremenheere, C.B., Political Resident at Aden, on the part of the British Government, as follows :—

ARTICLE 1.

That we hereby forego and relinquish all dues or taxes upon goods within our territory, or our roads, or in our markets, which have hitherto been levied upon travellers passing to or from Aden.

ARTICLE 2.

That it is incumbent upon us to keep the roads secure and peaceful, and if any one belonging to our tribe plunders or otherwise injures travellers, we bind ourselves both to cause the restoration of the plundered property and in addition to punish the offender.

ARTICLE 3.

That if it can be shown that we have been lax or negligent in causing the restoration of the plundered property as above written, we bind ourselves to make good the same, and it shall be within the power of the Political Resident at Aden to satisfy the claim from any stipend which may be payable to us in commutation of the dues.

ARTICLE 4.

That it shall be within the power of the Political Resident at Aden, and at his discretion, to put an end to the payment of any stipend which we may receive in commutation of the dues, and in that case it shall be lawful for us to revert to the scale of dues fomerly levied by us upon merchandise.

ARTICLE 5.

That should any plundering take place, or any outrages be committed within our territory by members of another tribe, we will endeavour to the utmost of our power to cause the restoration of the plundered property.

ARTICLE 6.

That there should be perpetual peace and friendship between us and the British Government and the friends and allies of the British Government.

ARTICLE 7.

That we are content to receive, in consideration of this agreement, the sum of twenty-five dollars ($25) monthly from the Political Resident at Aden.

ARTICLE 8.

This Agreement is binding upon us and our successors and upon the

British Government for ever, and shall be held to be in force from the 15th day of May A.D. 1871, answering to the 25th day of Zafar A.H. 1288.

Written on the 13th day of May A.D. 1871.

Marks of—

(Sd.) HASSAN NOOMAN, the Khaleefee.

„ ABD AHMED, the Atawee.

„ ALI BIN AHMED, the Khaleefee.

„ IBRAHEEM SAYF, the „

„ AHMED TUKKEE, the Mansooree.

„ ABDOOLLAH BIN KHADHAR, the Mansooree.

„ NASIR BIN KHADAR, the Mansooree.

„ C. W. TREMENHEERE,

Resident.

Witnessed by—

SULTAN FADHL BIN MUHSIN, of Lahej.

„ MOHAMMED BIN MUHSIN BIN FADHL.

SHEIKH SALEH BIN ALI, the Doobeynee.

„ ABDOOL KUREEM, the Mansooree.

„ SALIM BIN ABDOOLLAH, the Rajai.

Similar engagements entered into by the Makhdumi and Rajai sections of the Subaihees, the stipend granted to the former being $30 and that to the latter $40 a month.

No. XXVIII.

TRANSLATION of a BOND executed by ABDULLAH BIN KHADHAR, of the MANSOOREE—1871.

I, Abdoollah bin Khadhar, Mansooree, do hereby agree and do bind myself with Major-General Charles William Tremenheere, C.B., Political Resident at Aden, that if any plundering or any outrage be committed by the family of the Kuraysee in my territories, or beyond my territories, I will be

security and answerable that satisfaction shall be made. I have executed this bond of my own free will, and my signature is hereunto subscribed.

Dated at Sheikh Othman, the 13th day of May A.D. 1871, answering to the 23rd day of Zafar A.H. 1288.

Witnesses:

SULTAN FADHL BIN MUHSIN BIN FADHL.

„ MOHAMMED BIN MUSHIN BIN FADHL.

SHEIKH HUSSAN NOOMAN, the Khaleefee.

„ ABD AHMED BIN MOHAMMED SAEED, the Atawee.

Mark of
(Sd.) ABDOOLLAH BIN KHADHAR.

(Sd.) C. W. TREMENHEERE,
Resident.

No. XXIX.

TRANSLATION of an ENGAGEMENT entered into by the ATAFEE CHIEFS for the PROTECTION of SHIPWRECKED BRITISH SUBJECTS—1871.

The reason of writing this is as follows:—

That we whose names are hereunto subscribed, namely, Saleh bin Kajih, the Atafee, Ali bin Yehya, the Atafee, Khadhar bin Salim, the Atafee, Saeed bin Ali bin Ali, the Atafee, Ahmed Sa'ad Sherweet, the Atafee, Sa'ad bin Sherweet, the Atafee, Nasir bin Saleh, the Beleshee, Ali bin Abdoollah, the Yusufee, do hereby agree with Major-General Charles William Tremenheere, C.B., Political Resident at Aden, as follows:—

ARTICLE 1.

That it is incumbent on us to preserve peace and foster security in our territory and upon our shores.

ARTICLE 2.

That in the event of any steamer, ship, or other vessel belonging to the British Government, or to a British subject, or to any other power, or to the subjects of any other power, being wrecked upon our shores, protection shall be accorded to her and her crew, and the latter shall receive good treatment.

ARTICLE 3.

That should the crew, as aforesaid, wish to proceed to Aden, we will protect them and conduct them in safety to that place.

ARTICLE 4.

That if any sailor belonging to any vessel which may be at anchor in Aden or the neighbouring harbours, or if any soldier belonging to the garrison of Aden, shall desert to our country, we will protect him and conduct him in safety to Aden to be dealt with there.

ARTICLE 5.

That there shall be perpetual friendship between us and the British Government and the friends and allies thereof.

Dated at Sheik Othman, the 13th day of May A.D. 1871, answering to the 23rd day of Zafar A.H. 1288.

Marks of—

(Sd.) SHEIKH SALEH BIN KAJIH, Atafee.
„ ALI BIN YEHYA, Atafee.
„ KHADHAR BIN SALIM, Atafee.
„ SALIH BIN SALIM, Atafee.
„ SALIH BIN SAEED, Atafee.
„ KAJIH BIN MUHSIN, Atafee.
„ KASSIM BIN HASSAN, Atafee.
„ SAEED BIN ALI, Atafee.
„ AWAH BIN RAJIH, Atafee.
„ NASIR BIN SALEH, Beleshee.
„ ALI BIN ABDOOLLAH, Yusufee.
„ SA'AD BIN SHERWEET, Atafee.

Witnessed by—

SULTAN FADHL BIN MUHSIN BIN FADHL, the Abdallee.

SULTAN MAHOMMED BIN MUHSIN BIN FADHL.

SHEIKH SALIM BIN GHANIM, the Somali,

ABDOOL KUREEM, the Mansooree.

SHEIKH NASIR BIN SAEED, the Makhdumi.

(Sd.) C. W. TREMENHEERE,
Resident.

No. XXX.

PROTECTORATE TREATY with the ATAFI—1889.

The British Government and Sa'idba Ali, 'Abdalla-ba-Ali, Ahmed bin Saleh-ba-Rajeh, Ali Mohammed, Saleh-ba-Sa'id Abdalla Mohammed, Fara Hasan, Ali-ba-Yahya, Rajeh-ba-Hasan, Rajeh-ba-Ali, Abdalla-bin-Awadth, and Ahmed-al-Ajam, Sheikhs of the Atifi territory, being deisrous of maintaining and strengthening the relations of peace and friendship existing between them.

The British Government have named and appointed Brigadier-General Adam George Forbes Hogg, C.B., Political Resident at Aden, to conclude a Treaty for this purpose.

The said Brigadier-General Adam George Forbes Hogg and Said-ba-Ali, 'Abdalla-ba-Ali, Ahmed-bin-Saleh-ba-Rajeh, Ali Mohammed, S'aleh-ba-Sa'id, Abdalla Mohammed, Fara Hasan, Ali-ba-Yahya, Rajeh-ba-Hasan, Rajeh-ba-Ali, 'Abdalla-bin-Awadth, and Ahmed-al-Ajam, Shaikhs of the Atifi tribe aforesaid, have agreed upon and concluded the following articles:—

ARTICLE I.

The British Government, in compliance with the wish of the undersigned Shaikhs of the Atifi tribe, hereby undertakes to extend to the Atifi territory on the south coast of Arabia and situated between the territory of the Birhimi tribe and that under the authority of the Turkish Government at Shaikh Sa'id, and which territory is under their authority and jurisdiction, the gracious favour and protection of Her Majesty the Queen-Empress.

ARTICLE II.

The aforesaid Shaikhs of the Atifi tribe agree and promise, on behalf of themselves, their relations, heirs and successors, and the whole of the tribe, to refrain from entering into any correspondence, agreement or treaty, with any foreign nation or power, except with the knowledge and sanction of the British Government; and further promise to give immediate notice to the Resident at Aden, or other British officer, of the attempt by any other power to interfere with the Atifi territory.

ARTICLE III.

The aforesaid Shaikhs of the Atifi tribe bind themselves, their relations, heirs and successors, and the whole tribe for ever, that they will not cede, sell, mortgage, lease, hire or give, or otherwise dispose of the Atifi territory, or any part of the same, at any time, to any power, other than the British Government.

ARTICLE IV.

The above Treaty shall have effect from this date. In witness whereof the undersigned have affixed their signatures and seals at Aden this seventeenth day of September one thousand eight hundred and eighty-nine.

(Sd.) A. G. F. HOGG, *Brigadier-General,*
Political Resident.

Aden, the 17th September 1889.

Witness:

(Sd.) E. V. STACE, *Lieutenant-Colonel,*
First Assistant Political Resident.

(Sd.) AHMED BA SALEH BA RAJEH.
„ ABDALLA BA 'ALI.
„ ALI MAHOMMED.
„ SALEH BA SA'ID.
„ ABDALLA MAHOMMED.
„ FARA HASAN.
„ ALI YAHYA.
„ RAJEH BA HASAN.
„ RAJEH BA 'ALI.
„ ABDALLA BIN AWADTH.
„ AHMED AL-'AJAM.

Witness:

(Sd.) A. K. S. JAFFER,
Acting Native Assistant Resident, Aden.

(Sd.) LANSDOWNE,
Viceroy and Governor General of India.

This Treaty was ratified by the Viceroy and Governor General of India in Council at Fort William on the 26th day of February A.D. one thousand eight hundred and ninety.

(Sd.) W. J. CUNINGHAM,
Officiating Secretary to the Government of India, Foreign Department.

No. XXXI.

Protectorate Treaty with the Barhimi—1889.

The British Government and Ali bin Ahmed Am-Tommi, Khalaf bin Tarak, Awadth bin Mohammed, Ahmed Dakam, Awadth bin Hasan, Hadi bin Haidara, Ali bin Mashkul, Awadth bin Salim, Yahya bin Khadar, Salim bin Jabir, Hasan bin Ghalib, Awadth bin Uwaid, and Abdalla Ma'azabi, Shaikhs of the Barhimi territory, being desirous of maintaining and strengthening the relations of peace and friendship existing between them.

The British Government have named and appointed Brigadier-General Adam George Forbes Hogg, C.B., Political Resident at Aden, to conclude a treaty for this purpose.

The said Brigadier-General Adam George Forbes Hogg and Ali bin Ahmed Am-Tommi, Khalaf bin Tarak, Awadth bin Mohammed, Ahmed Dokam, Awadth bin Hasan, Hadi bin Haidara, Ali bin Mashkul, Awadth bin Salim, Yahya bin Khadar, Salim bin Jabir, Hasan bin Ghalib, Awadth bin Uwaid, and Abdalla Ma'azabi, Shaikhs of the Barhimi tribe aforesaid, have agreed upon and concluded the following articles:—

Article 1.

The British Government, in compliance with the wish of the undersigned Shaikhs of the Barhimi tribe, hereby undertakes to extend to the Barhimi territory on the south coast of Arabia, and situated between the territories of the Akrabi and Atifi tribes, which territory is under their authority and jurisdiction, the gracious favour and protection of Her Majesty the Queen-Empress.

Article 2.

The aforesaid Shaikhs of the Barhimi tribe agree and promise on behalf of themselves, their relations, heirs and successors and the whole tribe, to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or power, except with the knowledge and sanction of the British Government; and further promise to give immediate notice to the Resident at Aden, or other British Officer, of the attempt by any other power to interfere with the Barhimi territory.

Article 3.

The aforesaid Shaikhs of the Barhimi tribe hereby bind themselves, their relations, heirs and successors, and the whole tribe for ever, that they will not cede, sell, mortgage, lease, hire or give, or otherwise dispose of, the Barhimi territory, or any part of the same, at any time, to any power, other than the British Government.

ARTICLE 4.

The above Treaty shall have effect from this date. In witness whereof the undersigned have affixed their signatures and seals at Aden this twenty-first day of September one thousand eight hundred and eighty-nine.

(Sd.) A. G. F. HOGG, *Brigadier-General,*
Political Resident, Aden.

ADEN :
The 21st September 1889.

Witness :

(Sd.) E. V. STACE, *Lieutenant-Colonel,*
First Assistant Political Resident.

(Sd.) ALI BIN AHMED AM-TOMMI.
„ KHALAF BIN TARAK.
„ AWADTH BIN MOHAMMED.
„ AHMED DAKAM.
„ AWADTH BIN HASAN.
„ HADI BIN HAIDARA.
„ ALI BIN MASHKUL.
„ AWADTH BIN SALIM.
„ YAHYA BIN KHADAR.
„ SALIM BIN JABIR.
„ HASAN BIN GHALIB.
„ ABADTH BIN UWAID.
„ ABDALLA MA'AZABI.

Witness :

(Sd.) A. K. S. JAFFER,
Acting Native Assistant Resident.

(Sd.) LANSDOWNE,
Viceroy and Governor General of India.

This Treaty was ratified by the Viceroy and Governor General of India in Council at Fort William on the 26th day of February A.D. one thousand eight hundred and ninety.

(Sd.) W. J. CUNINGHAM,
Offg. Secy. to the Govt. of India, Foreign Department.

No. XXXII.

TRANSLATION of a BOND given by SULTAN AHMED BIN ABDOOLLAH, FADHLEE.—1839.

Sultan Ahmed bin Abdoollah Fadhlee, his brothers Saleh, Nasir and Fadhl, and his cousins, do hereby agree that they enter into an agreement with their tribe, and those dependent upon them and those upon the latter, as before arranged with Commander Haines, who agrees to pay to these people the stipend which they used to receive from Sultan Muhsin Fadhl Abdalee. The agreement which has passed between them (the Sultan and Commander Haines) is, that whatever belongs to the Sultans of Abdalee, former and succeeding, and to those of Fadhlee, former and succeeding, shall be theirs ; that the Abdalee shall be responsible, as stipulated, for all injuries or outrages perpetrated in Lahej, its vicinity, or within its limits, or in Aden, its roads, or its limits ; and the above Sultan Ahmed for all acts of excess on the part of any of the Fadhlee, their clans, or those dependent upon them. In case Sultan Ahmed afford any assistance to any other Sultan or tribe, this agreement shall be null and void. Our (Sultan Ahmed's) hand and Sultan Muhsin's hand is one and the same. Our friends and his friends are identical. If any of the above tribe commit any plunder or depredation on the roads or in Lahej, the Bond that we possess shall be null, until we shall recover and restore the plundered property. Should any assault or murder be committed in Lahej or Aden, or on their roads, and should the act be brought home to any of the Fadhlee, or their tribe, he shall be seized and is to be considered an offender. This Bond is always binding, and shall never become a dead letter. We shall draw the settled stipend every six months, and whenever there shall be any pressure of necessity, Government shall pay us a part (intermediately). The payment is to commence from the month of Zilkad Hegira 1254 (January-February 1839). Whatever is affixed for the above people shall be received by them through us or Sultan Muhsin or his children. These are the stipulations agreed to by Sultan Ahmed Fadhlee, and which are mediated by Salim bin Sheikh and Syud bin Sulah, who are the Vakeels of Sultan Ahmad. This agreement is consented to on Monday, the 26th day of Rubbee-ool-Akhir Hegira 1255 (8th July 1839). The half-yearly allowance which we shall receive from Government is 182¼ cooroosh, half of which is 91⅛. The provisions which the above people are accustomed to receive must be given to them at Lahej through the Sultan or his children.

(Sd.) SULTAN AHMED BIN ABDOOLLAH BIN AHMED, FADHLEE.

Witnesses:

MOOLLA JAFFER, *Vakeel of Commander Haines.*

ALI BIN ABDOOLLAH BIN AHMED.

SALIM BIN NASIR, *Arab.*

KAZEE ABDOOL RAZZAK BIN ALI.

No. XXXIII.

TRANSLATON of a BOND entered into by the FADTHLI SULTAN for the SECURITY of the ROADS leading to ADEN.

Seal of Ahmed bin Abdoollah, the Fadhlee.

An honourable Bond and a great writing!

I, whose name and seal are set herein, have covenanted to the beloved Alowi bin Zain Al Aidroos upon peace and friendship between us and the Governor, William Coghlan Sahib, the Ruler of Aden; and also upon the safety of the road and security of the poor from Lahej to Aden. I am responsible for every sedition that may take place on the road on the part of all the Fadhlee tribes, either inhabitants of the hills or coast. I am answerable for it for all what goes to them on the roads of Ibian and Aden. Whatever plunder may take place upon our subjects on the coast, I will call upon Syud Alowi, and the Governor of Aden has the interposition.

If God should decree a quarrel, between the Fadhlee and the Abdalees, each would know his own friend, and the English should not interfere amongst Arabs. Each would go on according to his rule and covenant, and if anyone should try to make mischief betwixt us (Fadhlee and English), the saying of such enemies must not be listened to.

The Governor of Aden should abolish the invention which they have established at the gate of Aden upon the poor of our subjects and others; for the sake of the good condition of the needy, we and the English are friends upon sincerity and good-will between them and us and protection for our said friends (subjects).

I have covenanted to the beloved Alowi, and he will covenant on my behalf to the Governor, William Coghlan.

In the presence of—

SALEH BIN ABDOOLLAH.

NASIR BIN ABDOOLLAH.

FADHL BIN ABDOOLLAH.

ALI BIN AHMED AZZABBEE.

No. XXXIV.

TRANSLATION of ARTICLES of AGREEMENT entered into by SULTAN AHMED BIN ABDOOLLAH—1867.

ARTICLE 1.

That Sultan Ahmed bin Abdoollah, on behalf of himself, his successors, and his tribe, solemnly binds himself to abstain in future from all acts of plunder and disorderly violence.

ARTICLE 2.

To maintain peace with the neighbouring tribes, friends of the British Government.

ARTICLE 3.

To protect all merchants and travellers passing through his country. Any member of the tribe acting contrary to this rule to be immediately punished.

ARTICLE 4.

That one of the sons, or a near trusted relation, of the reigning Sultan of the Fadhlee tribe shall reside in Aden, to be near the Resident and to transact business relating to the tribe.

ARTICLE 5.

On these terms being solemnly agreed to the past will be forgotten.

(Sd.) AHMED BIN ABDOOLLAH.

27th May 1867.

No. XXXV.

For the furtherance of PEACE and AMITY between the HIGH BRITISH GOVERNMENT and the tribe of the FADHLEES, the undersigned, MAJOR-GENERAL CHARLES WILLIAM TREMENHEERE, C.B., POLITICAL RESIDENT at ADEN, on behalf of the BRITISH GOVERNMENT, and SULTAN HAIDARA BIN AHMED BIN ABDOOLLAH, the FADHLEE, for himself and his successors, have agreed to the following conditions—1872.

ARTICLE 1.

Sultan Haidara bin Ahmed bin Abdoollah, the Fadhlee, agrees to waive his claim to transit dues and to all rights of revenue accruing from the kafilas

which enter and which leave Aden, and that the road through his territory shall be entirely free, and that there shall be no obstacles in the way of travellers upon it.

ARTICLE 2.

Major-General Charles William Tremenheere, C.B., Political Resident at Aden, on behalf of the high British Government, agrees to pay to Sthetu Haidara bin Ahmed bin Abdoollah, the Fadhlee, and to his successor the monthly sum of eighty (80) dollars, in consideration of the abolition of land transit dues as aforesaid.

ARTICLE 3.

This agreement is distinct from, and in addition to, the engagement which was concluded with the Sultan of the Fadhlee tribe on the 27th day of May 1867, and the stipend as aforesaid, that is to say, the sum of eighty dollars to be paid monthly, is over and above the stipend of one hundred dollars which is at this present time paid monthly by the high British Government to the Sultan of the Fadhlee tribe, and this engagement is to come into force, and to have effect from this date of writing, that is to say the 6th day of May 1872, answering to the 28th day of Safar in the year of the Hijra 1289.

(Sd.) M. SCHNEIDER, *Brigadier-General,*
Political Resident, Aden.

on behalf of MAJOR-GENERAL C. W. TREMENHEERE, C.B.

Seal.

(Sd.) HAIDARA BIN AHMED BIN ABDOOLLAH.

Seal.

(Sd.) NORTHBROOK,
Viceroy and Governor-General.

Ratified by His Excellency the Viceroy and Governor-General of India at Calcutta on the eighteenth day of December 1872.

(Sd.) C. U. AITCHISON,
Secretary to the Government of India.

No. XXXVI.

AGREEMENT REGARDING BOUNDARIES BETWEEN THE 'ABDALI AND THE FADTHLI—1881.

In the name of the Most Merciful God!

Whereas there is a long-extisting friendship between the British Government and the 'Abdali and Fadthli; and whereas the boundaries between these two tribes are not satisfactorily defined; and whereas this last-mentioned state of affairs has been the frequent cause of correspondence and disputes; and whereas Sultan Fadthl bin 'Ali, on the part of the 'Abdali, and Sultan Ahmed bin Husain, on behalf of the Fadthli, have agreed and consented to the settlement hereinafter set forth in the presence of Brigadier General F. Loch, C.B., Political Resident at Aden. Now be it known to all whom it may concern, that the Fadthli limit meets the British limit at Imad, and stretches from the sea 1½ mile westward to the north-east shore of the Wadi-as-Sagir, and from thence it runs gradually upward till it reaches Hiswatal Musaiferah. The 'Abdali limit to the west is as far as Bir 'Ali and Bir Dervish.

If there are any fields at Wadi-as-Saghir belonging to the Fadthli within the limits of the 'Abdali, and if the owners of the said fields are able to prove their claim to them by certain and indisputable evidence whether documentary or by length of possession, according to the Shariah (Mahomedan Law), such lands are to remain with the said owners, who have the right to cultivate their lands and to enjoy the same rights and privileges as are enjoyed by other subjects of the Abdali.

This agreement is concluded and agreed to on Tuesday, the 3rd day of May, in the year of Our Lord 1881, corresponding with the 5th day of Jumad-al-Akhir, 1298 Al-Hijri.

In witness whereof we have settled our hand and seal.

Signed by MOHAMMED MOHSIN FADTHL,
for himself and
Sultan FADTHL BIN 'ALI MOHSIN,
Sultan of Lahej.

Witnesses:
(Sd.) AHMED 'ALI MOHSIN.
„ SAYYID 'UMAR HUSAIN-AL-WAHSH.

(Sd.) FRANCIS LOCH, *Brigadier-General,*
Political Resident, Aden.

WITNESSES:
(Sd.) CHAS. W. H. SEALY, *Captain,*
Assistant Resident.
„ SALEH JAFFER,
Native Assistant and Interpreter.

No. XXXVII.

PROTECTORATE TREATY WITH THE FADTHLI—1888

The British Government and Ahmed bin Husain, the Fadthli Sultan of Shukra, and the Fadthli country with their dependencies, being desirous of maintaining and strengthening the relations of peace and friendship existing between them;

The British Government have named and appointed Brigadier-General Adam George Forbes Hogg, C. B., Political Resident at Aden, to conclude a treaty for this purpose.

The said Brigadier-General Adam George Forbes Hogg, C. B., and Sultan Ahmed bin Husain, the Fadthli, aforesaid, have agreed upon and concluded the following articles:—

ARTICLE 1.

The British Government, in compliance with the wish of the undersigned, Sultan Ahmed bin Husain, the Fadthli, hereby undertakes to extend to Shukra and the Fadthli country with their dependencies, which are under his authority and jurisdiction, the gracious favour and protection of Her Majesty the Queen-Empress.

ARTICLE 2.

The said Sultan Ahmed bin Husain, the Fadthli, agrees and promises on behalf of himself, his heirs, and successors to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or power except with the knowledge and sanction of the British Government; and further promises to give immediate notice to the Resident at Aden, or other British officer of the attempt by any other power to interfere with Shukra and the Fadthli country and their dependencies.

ARTICLE 3.

The said Sultan Ahmed bin Husain, the Fadthli, hereby binds himself and his heirs and successors for ever, that he or they will not cede, sell, mortgage, lease, hire or give, or otherwise dispose of, the Fadthli territory, or any part of the same, at any time, to any power other than the British Government.

ARTICLE 4.

The above treaty shall have effect from this date. In witness whereof the undersigned have affixed their signature or seals at Aden this fourth day of August one thousand eight hundred and eighty-eight A. D.

(Sd.) A. G. F. HOGG, *Brigadier-General,*
Political Resident.

Witness:

(Sd.) E. V. STACE, *Lieutenant-Colonel,*
Acting First Assistant Political Resident.

(Sd.) AHMED BIN HUSAIN.

Witnesses:

(Sd) ABDALLA BIN NASIR.
„ HUSAIN BIN AHMED.
„ M. S. JAFFER.
Native Assistant Resident, Aden.

(Sd.) LANSDOWNE,
Viceroy and Governor General of India.

This treaty was ratified by the Viceroy and Governor General of India in Council at Fort William on the 26th day of February A. D. one thousand eight hundred and ninety.

(Sd.) W. J. CUNINGHAM,
Offg. Secy. to the Govt. of India, Foreign Department.

No. XXXVIII.

ENGAGEMENT of PLACE and FRIENDSHIP entered into, on the 4th February 1839, by SULTAN HAIDARA BIN MEHDI, of the AKRABEES, and SHEIKH ABDOOL KUREEM BIN SALLAH MEHDI, SHEIKH FADHL BIN HAIDARA BIN AHMED, of SELA, AKRABEE CHIEFS, with COMMANDER HAINES, of the INDIAN NAVY, on behalf of the HONOURABLE EAST INDIA COMPANY.

Between the British and Akrabees there shall be peace and lasting friendship. Aden, belonging to the English and the Akrabi tribe, shall be at peace

and firm friends. If the subjects of either wish to have free intercourse in each other's territory, they shall be welcome, and receive neither molestation nor insult.

If the English wish to enter the Akrabi territory, they shall be respected and received with kindness, for they are friends. If any disturbance should take place between the subjects of either country, the culprit, if English, is to be given over to the laws of Aden, if Akrabi, to the laws of the Sultan for punishment.

In witness of the agreement, in the presence of God.

Dated Aden, the 4th February 1839.

(Sd.) SULTAN HAIDARA BIN MEHDI.

Witnesses:

(Sd.) SYUD ALOWI.

„ RASHED ABDOOLLAH.

„ JAFFER BIN MOOLLA ABDOOLAH.

„ S. B. HAINES.

No. XXXIX.

TRANSLATION of an AGREEMENT by the SHEIKH and ELDERS of the AKRABI TRIBE—1857.

PRAISE be to GOD, who is worthy of PRAISE!

Attestation and agreement from the Sheikh Abdoollah Ba Haidara Mehdi and all the elders of the Akrabees whose names are set below. We have covenanted with His Excellency the Governor, William Coghlan Sahib, Ruler of Aden, upon everlasting sincerity and the repelling of sedition in their (own) limits, and upon purity of friendship. We will do all in our power (agreeably to friendship) to protect (the interest) the English Government and its subjects, and if any of the English wish to come out to Bir Ahmed for recreation, they must inform us, and upon us rests the (their), perfect reverence and protection; any want the Governor may require, we are (his) soldiers day or night. Our country and our property are in the service of the British Government, and may our Lord continue the friendship

Ultimately we have covenanted according to what we have explained above, and we beg God to confirm us in the fulfilment of the faithful covenants.

This is done on the 18th of Shaban 1273, 12th April 1857.

(Sd.) ABDOOLLA BA HAIDARA MEHDI.
" SALEH BA HAIDARA MEHDI.
" ABDOOL KUREEM SILAM MEDHI.
" HADJ OBAID ALLAH YEHIA.
" ALI BIN AHMED ALI.

Witnessed by—

SYUD MAHOMED BIN ZAIN AL-AIDROOS.

SYUD AIDROOS BIN ZAIN AL-AIDROOS.

SHEIKH ALI BIN AHMED BA ABDOOLLAH AZAB.

In presence of

(Sd.) ALOWI BIN ZAIN AL-AIDROOS.

No. XL.

TRANSLATION of an AGREEMENT entered into by the CHIEF of the AKRABI TRIBE regarding the sale of JEBEL IHSAN—1863.

PRAISE be to God alone!

The object of writing this lawful Bond is, that it is hereby covenanted and agreed betwixt Sheikh Abdoolla ba Haidara Mehdi, Chief of the Akrabi tribe, on the one part, and Brigadier William Marcus Coghlan, Governor of Aden, on behalf of Her Majesty the Queen of England, on the other part, that the said Sheikh Abdoollah ba Haidara Mehdi doth pledge himself, his heirs and successors, by this agreement never to sell, mortgage, or give for occupation, save to the British Government, any portion of the Peninsula called Jebel Ihsan, including the Khor of Bir Ahmed, Al-Ghadeer, Bundar, Fogum, and all the intermediate coast and inlets.

In consideration of which act of friendship, the said Sheikh Abdoollah ba Haidara Mehdi has received from Brigadier William Marcus Coghlan, Governor of Aden, an immediate payment of three thousand (3,000) dollars, and shall also receive from the said Brigadier Coghlan or his successors a future monthly subsidy of thirty (30) dollars, it being understood that this stipend imposes an obligation on the part of Sheikh Abdoolah ba Haidara Mehdi, his heirs and successors, to protect all traders and British subjects who pass through or reside in the Akrabi territory, and also for preserving terms

of peace and friendship betwixt the Akrabi tribe and the Governor of Aden, representing the Government of Her Majesty the Queen of England.

In token of this honourable engagement, the Brigadier William Marcus Coghlan and Sheikh Abdoollah Ba Haidara Mehdi do severally affix their hand and seal at Aden on Friday, the twenty-third day of January, in the year of Christ one thousand eight hundred and sixty-three, corresponding with the third day of Shaban in the year of the Hegira one thousand two hundred and seventy-nine.

(Sd.) ABDOOLLAH BA HAIDARA MEHDI.
„ W. M. COGHLAN, *Brigadier*,
Political Resident, Aden.

In presence of—
(Sd.) MAHOMED BA HAIDARA.
„ ALOWI BIN ZAIN AL AIDROOS.
„ AIDROOS BIN ZAIN.
„ H. RASSAM,
Assistant Political Resident, Aden.

NO. XLI.

TRANSLATION of an ENGAGEMENT entered into by the SHEIKH of the AKRABI TRIBE for the sale of LITTLE ADEN—1869.

The cause of writing this lawful deed is as follows: —

That a Treaty and engagement is made between Sheikh Abdoollah Ba Haidara Mehdi, Sheikh of the Akrabi tribe, on the one part, and General Sir Edward Russell, Resident of Aden, on behalf of the Honourable British Government, on the other.

To wit, the abovementioned Sheikh Abdoollah Ba Haidara Mehdi on his part binds himself by these presents to have sold and delivered over in perpteuity to the British Government the Peninsula called Jebel Ihsan *alias* Jebel Hussan and the Khor of Bir Ahmed and Al-Ghader and Bunder Fokum, and all and whatsoever is comprised on the seashore in the matter of harbours or ports between the said Khor (of Bir Ahmed) and Bundar Fogum; and moreover the said Abdoollah Ba Haidara Mehdi binds himself, his heirs and successors, by these presents, never to sell or pledge or give up any one for residence, excepting to the British Government, any portion whatsoever of Jebel Ras Imran, or the land on the border of the bay between Ras Imran and Jebel Ihsan or Hussan; and in consideration of what is aforementioned, the said Sheik Abdoollah Ba Haidara Mehdi has received

from General Sir Edward Russell, Resident at Aden, the sum of thirty thousand German crowns, being the amount of purchase-money agreed upon by the said Abdoollah Ba Haidara Mehdi, and this sum of thirty thousand German crowns is over and above the sum of three thousand German crowns which Brigadier William Marcus Coghlan stipulated for and paid to the said Sheikh Abdoollah Ba Haidara Mehdi on the 23rd day of January 1863, in accordance with the Treaty that was made on that date, and payment of these said three thousand German crowns then well and truly made to the said Abdoollah Ba Haidara Mehdi.

In witness that the terms of this Treaty are truly and justly binding on Sheikh Abdoollah Ba Haidara Mehdi of himself, his heirs and successors, as to the sale, and on General Sir Edward Russell, Resident at Aden, on behalf of the Honourable British Government, as to the purchase, both have hereunto set their signatures and seals, at Aden, this 2nd day of April A.D. 1869, equivalent to 21st day of the month Zhil Hujj A. H. 1285.

(Sd.) ABDOOLLAH BA HAIDARA MAHDI.
„ E. L. RUSSELL, *Major-General, Resident at Aden.*

In presence of—
(Sd.) ALOWI BIN ZAIN AL AIDROOS.
„ G. R. GOODFELLOW, *Captain, Assistant Resident, Aden.*

Articles of Treaty and engagement between Sheikh Abdoolah Ba Haidara Mehdi and Sir Edward Russell, Resident at Aden, that the honour and respect which is due to Abdoollah Ba Haidara Mehdi from the British Government continue, and that from the present date an increase of dollars 10 to the present subsidy of 30 dollars be paid (making) a total of dollars 40 (per mensem), and that Abdoollah Ba Haidara (be permitted to) levy transport dues on whatever may be landed from the bunders which he has sold this day according to a Treaty drawn up with Sir Edward Russell on behalf of the British Government should the goods so landed thence pass through his territory, *viz.*, Bir Ahmed, and all claims of Sultan Fadhlee, or of Sultan Ahmed, the Fadthli, upon Bir Ahmed, the Resident is to take upon himself, and this is what is agreed upon.

This second day of April 1869, equivalent to 21st day of Zhil Hujj 1825.

(Sd.) E. L. RUSSELL, *Major-General, Resident at Aden.*
„ ABDOOLLAH BA HAIDARA MAHDI.

Witnesses:
(Sd.) ALOWI BIN ZAIN AL AIDROOS.
„ AIDROOS BIN ZAIN AL AIDROOS.
„ G. R. GOODFELLOW, *Captain, Assistant Resident, Aden.*

No. XLIII.

AGREEMENT for the PURCHASE of LAND from the AKRABI SHEIKH—1888.

This agreement made this 15th day of July one thousand eight hundred and eighty-eight A. D., corresponding to 5th al-Ka'ada one thousand three hundred and five, between Sheikh Abdalla ba Haidara Mahdi, Sheikh of the Akrabi tribe, on the one part, and Brigadier-General A. G. F. Hogg, C.B., Political Resident, Aden, on behalf of the Government of India, on the other part.

Whereas a tract of land belonging to the said Sheikh 'Abdalla ba Haidara Mahdi, lying between the village of Hiswa and Little Aden and Bandar Fogum, is required by the Government of India to secure British jurisdiction over the entire shores of the harbour of Aden and for other reasons; and whereas the said Sheikh 'Abdalla ba Haidara Mahdi has agreed to sell to the Government of India the said tract of land for a sum of rupees two thousand; this therefore witnesseth that in pursuance of this agreement, and in consideration of the sum of rupees two thousand paid by the said Government of India to Sheikh 'Abdalla ba Haidara Mahdi, the receipt whereof the said Sheikh 'Abdalla ba Haidara Mahdi doth hereby acknowledge, and for the same doth hereby release the Government of India, the said Shaikh 'Abdalla ba Haidara Mahdi doth hereby grant and confirm unto the Government of India all that tract of land described as under, that is to say, a strip land of the breadth of half a mile extending along the shore from the Tuban river westward past Little Aden to Bundar Fogum, and to be defined thus by a line commencing from the second pillar from the shore on the boundary line now dividing British from Akrabi territory, and which pillar is situated at a distance of about half a mile from the shore, thence running parallel to the sea-shore in a westerly direction, passing the British boundary of Little Aden at a distance of half a mile, and meeting the shore of Bundar Fogum at a distance of half a mile from the British boundary of Little Aden.

The tract of land thus ceded to the Government of India is bounded thus:

North—Akrabi territory.

South—The sea and the British territory of Little Aden.

East—British territory.

West—The sea of Bunder Fogum.

The said strip of half a mile in breadth to be measured from high water mark and to include all shores, bays, and bunders on the seaside of the said tract, to have and to hold the said tract of land as the property of the Govenment of India in perpetuity without any let or hindrance or any claim or demand by the said Sheikh 'Abdalla ba Haidara Mahdi

or his heirs and successors, or by any of his tribesmen or any other person or persons whomsoever.

In witness whereof the said parties to these presents have hereunto set their hands and seals the day, month and year above written.

(Sd.) A. G. F. HOGG,
Brigadier-General,
Political Resident, Aden.

(Sd.) ABDALLA BA HAIDARA MAHDI.

Witnesses—

(Sd.) × Mark of SHAIKH 'ALI BA HAIDARA.

(Sd.) FADTHL BA HAIDARA MAHDI.

Witnesses—

(Sd.) E. V. STACE,
Acting First Assistant
Political Resident.

(Sd.) M. S. JAFFER,
Native Assistant Resident.

N. B.—In the original the agreement is in parallel columns of English and Arabic.

No. XLIII.

PROTECTORATE TREATY WITH THE AKRABI—1888.

The British Government and 'Abdalla ba Haidara Mahdi, the Akrabi Sheikh of Bir Ahmed with its dependencies, being desirous of maintaining and strengthening the relations of peace and friendship existing between them.

The British Government have named and appointed Brigadier-General Adam George Forbes Hogg, C. B., Political Resident at Aden, to conclude a Treaty for this purpose.

The said Brigadier-General Adam George Forbes Hogg, C.B., and Sheikh 'Abdalla ba Haidara Mahdi, the 'Akrabi aforesaid, have agreed upon and concluded the following articles:—

ARTICLE 1.

The British Government, in compliance with the wish of the undersigned, Sheikh 'Abdalla ba Haidara Mahdi, the 'Akrabi, hereby undertakes to extend to Bir Ahmed with its dependencies, which are under his authority and jurisdiction, the gracious favour and protection of Her Majesty the Queen-Empress.

ARTICLE 2.

The said Sheikh 'Abdalla ba Haidara Mahdi, the 'Akrabi, agrees and promises on behalf of himself, his heirs and successors, to refrain from

entering into any correspondence, agreement or treaty, with any foreign or native power, except with the knowledge and sanction of the British Government; and further promises to give immediate notice to the Resident at Aden, or other British officer, of the attempt by any other power to interfere with Bir Ahmed and its dependencies.

ARTICLE 3.

The above Treaty shall have effect from this date. In witness whereof the undersigned have affixed their singatures or seals at Bir Ahmed this 15th day of July 1888.

(Sd.) A. G. F. HOGG, *Brigadier-General,*
Political Resident, Aden.

Witnesses:

(Sd.) E. V. STACE, *Lieut.-Col.,*
Acting First Assistant Political Resident.

(Sd.) ABDULLA BA HAIDARA MAHDI.

Witnesses:

Mark × of SHEIKH 'ALI BA HAIDARA.

(Sd.) FADTHL BA HAIDARA MAHDI.

„ M. S. JAFFER.
Native Assistant Resident.

(Sd.) LANSDOWNE,
Viceroy and Governor-General of India.

This Treaty was ratified by the Viceroy and Governor General of India in Council at Fort William on the 26th of February A.D. one thousand eight hundred and ninety.

(Sd.) W. J. CUNINGHAM,
Officiating Secretary to the Government of India,
Foreign Department.

XLIV.

TREATY WITH SHEIKH MOHSIN-BIN-FARID-BIN-NASAR-AL-YESLAMI-AL-AULAKI.

The British Government and Sheikh Mohsin-bin-Farid-bin-Nasar-al-Yeslami, of the Upper Aulakis, being desirous of entering into relations of peace and friendship;

The British Government have named and appointed Major-General Pelham James Maitland, C.B., Political Resident at Aden, to conclude a treaty for this purpose.

The said Major-General Pelham James Maitland, C.B., and Sheikh Mohsin-bin-Farid-bin-Nasar-al-Yeslami aforesaid have agreed upon and concluded the following Articles :—

I

There shall be peace and friendship between the British and Upper Aulakis. The subjects of the British and the tribesmen of the Upper Aulakis under the jurisdiction of the said Sheikh shall each be free to enter the territories of the other ; they shall not be molested, but shall be treated with respect at all times and in all places. The said Sheikh and other notable persons shall visit Aden when they please. They shall be treated with respect and be given passes to carry arms.

II

In compliance with the wish of the aforesaid Sheikh Mohsin-bin-Farid-bin-Nasar-al-Yeslami of the Upper Aulakis, the British Government hereby undertakes to extend to the territory of the Upper Aulakis and its dependencies, being under the authority and jurisdiction of the said Sheikh, the gracious favour and protection of His Majesty the King-Emperor.

III

The said Sheikh Mohsin-bin-Farid-bin-Nasar-al-Yeslami of the Upper Aulaki hereby agrees and promises, on behalf of himself, his heirs and successors, and the whole of the Upper Aulaki tribe under his jurisdiction to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or Power; and further promises to give immediate notice to the Resident at Aden, or other British officer, of the attempt by any other Power to interfere with the territory of the Upper Aulaki and its dependencies.

IV

The said Sheikh Mohsin-bin-Farid-bin-Nasar-al-Yeslami of the Upper Aulaki hereby binds himself and his heirs and successors for ever that they will not cede, sell, mortgage, lease, hire, or give, or otherwise dispose of the territory of the Upper Aulaki under his jurisdiction, or any part of the same, at any time, to any Power other than the British Government.

V

The said Sheikh Mohsin-bin-Farid-bin-Nasar-al-Yeslami further promises, on behalf of himself, his heirs and successors, and his tribesmen, that they will keep open the roads in the country of the Upper Aulaki under his authority and jurisdiction, and that they will protect all persons who may be going in the direction of Aden for the purposes of trade, or returning therefrom. In consideration thereof the British Government agrees to pay to the said Sheikh and to his successor or successors a monthly sum of sixty (60) dollars, the half of which is thirty dollars.

VI

The above treaty shall have effect from this date. In witness thereof the undersigned have affixed their signatures or seals at Aden, this eighth day of December, one thousand nine hundred and three.

P. J. MAITLAND, *Major-General,*
Political Resident at Aden.

[Mark of]
MOHSIN-BIN-FARID-BIN-NASIR.

Witnesses—

H. M. ABUD, *Lt.-Col.,*
Poltl. Agent. and First Asst. Resident.

SHEIKH BUBAKR-BIN-FARID-BIN-NASIR.

G. W. BURY,
Extra Asst. Resident.

SAYAD ABDULLA ARDAROOS-BIN-ZAIN-ALI JAFFER,
Head Clerk and Interpreter.

(Sd.) CURZON,
Viceroy and Governor-General of India.

This treaty was ratified by the Viceroy and Governor-General of India in Council at Fort William on the 5th day of February, A. D., one thousand nine hundred and four.

(Sd.) LOUIS W. DANE,
Secretary to the Government of India,
Foreign Department.

No. XLV.

TREATY WITH THE UPPER AULAKI SULTAN.

The British Government and Sultan Saleh-bin-Abdulla-bin-Awadth-bin-Abdulla, the Sultan of the Upper Aulakis, being desirous of entering into relations of peace and friendship :

The British Government have named and appointed Major-General Pelham James Maitland, C.B., Political Resident at Aden, to conclude a treaty for this purpose.

The said Major-General Pelham James Maitland, C.B., and Sultan Saleh-bin-Abdulla-bin-Awadth-bin-Abdulla aforesaid have agreed upon and concluded the following Articles :—

I

There shall be peace and friendship between the British and Upper Aulakis. The subjects of the British and the tribesmen of the Upper

Aulakis under the jurisdiction of the said Sultan shall each be free to enter the territories of the other, they shall not be molested, but shall be treated with respect at all times and in all places. The said Sultan and other notable persons shall visit Aden when they please. They shall be treated with respect and be given passes to carry arms.

II

In compliance with the wish of the aforesaid Saleh-bin-Abdulla-bin-Awadth-bin-Abdulla, Sultan of the Upper Aulakis, the British Government hereby undertakes to extend to the territory of the Upper Aulakis and its dependencies being under the authority and jurisdiction of the said Sultan the gracious favour and protection of His Majesty the King-Emperor.

III

The said Sultan Saleh-bin-Abdulla-bin-Awadth-bin-Abdulla, the Upper Aulaki, hereby agrees and promises, on behalf of himself, his heirs and successors, and the whole of the Upper Aulaki tribe under his jurisdiction, to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or power; and further promises to give immediate notice to the Resident at Aden or other British officer of the attempt by any other Power to interfere with the territory of the Upper Aulaki and its dependencies.

IV

The said Sultan Saleh-bin-Abdulla-bin-Awadth-bin-Abdulla, the Upper Aulaki, hereby binds himself and his heirs and successors for ever that they will not cede, sell, mortgage, lease, hire, or give, or otherwise dispose of, the territory of the Upper Aulaki under his jurisdiction, or any part of the same, at any time to any Power other than the British Government.

V

The said Sultan Saleh-bin-Abdulla-bin-Awadth-bin-Abdulla further promises, on behalf, of himself, his heirs and successors, and his tribesmen, that they will keep open the roads in the country of the Upper Aulaki under his jurisdiction, and that they will protect all persons who may be going in the direction of Aden for the purposes of trade, or returning therefrom. In consideration thereof the British Government agrees to pay to the said Sultan and to his successor or successors a monthly sum of one hundred (100) dollars, the half of which is fifty dollars.

VI

The above treaty shall have effect from this date. In witness thereo

the undersigned have affixed their signatures or seals at Aden, this eighteenth day of March one thousand nine hundred and four.

P. J. MAITLAND, *Major-General*, []
Resident at Aden.

The seal of SULTAN SALEH-BIN-ABDULLA,

signed on behalf of SULTAN SALEH-BIN-ABDULLA.

Witnesses—

F. DEB. HANCOCK, *Captain*, *Assistant Resident, Aden.*

G. W. BURY,
Extra Assistant Resident.

[His mark]
NASAR BIN-ABDULLA
[His mark]
AHMAD-BIN-ABDULLA,
} Brothers of SULTAN SALEH.

Winesses—

ALI JAFFER,
Head Interpreter.

[His mark]
ALI-BIN-NASAR.

[His mark]
AHMAD-BIN-NASAR, AM SHEBA,
SAYAD MUHAMMAD-BIN-ALI,
Mansab of Waht.

CURZON,
Viceroy and Governor General of India.

This treaty was ratified by the Viceroy and Governor-General of India in Council at Simla on the 23rd day of April A.D. one thousand nine hundred and four.

LOUIS W. DANE,
Secretary to the Government of India,
Foreign Department.

No. XLVI.

TRANSLATION of an AGREEMENT entered into by the OWLAKEE CHIEFS for the SUPPRESSION of the SLAVE TRADE—1855.

In the name of the Most Merciful God and Him we implore!

The reason of writing this Bond is, that influenced by motives of humanity and by a desire to conform to the principles on which the great

English Government is conducted, we lend a willing ear to the proposals of our sincere friend Brigadier W. M. Coghlan, Governor of Aden, that we shall covenant with him and with each other to abolish and prohibit the exportation of slaves from any part of Africa to any other place in Africa or Asia or elsewhere under our authority.

We, whose names and seals are set to this Bond, do therefore in the sight of God and of men solemnly proclaim our intention to prohibit the exportation of slaves from Africa by every means in our power; we will export none ourselves, nor will be permit our subjects to do so, and any vessel found carrying slaves shall be seized and confiscated and the slaves shall be released.

Peace. *Signatures.*

Witnessed by Syud Mahomed bin Ábd-oor-Rahman Al-Zufferi.

SULTAN MUNASSAR BIN BOO BEKR BIN MAHDI, the Owlakee, done at Hour, dated 14th October 1855.

SULTAN ABU BEKR BIN ABDOOLLAH BIN MAHDI, the Owlakee; same date and place.

Similar engagements were entered into by—

ALI MAHOMED ZAID, elder of the Habr Gerhagis, tribe of Somalis, at Mait; done the 5th Zuffer 1272, corresponding with the 17th October 1855.

HIRSEE ALI MAHOMED, elder of the Habr Gerhagis, tribe of Somalis, at Mait; done the 5th Zuffer 1272, corresponding with the 17th October 1855.

And by

MAHMOOD MAHOMED, elder of the Habr Taljala tribe, at Hais; 5th Zuffer 1272, corresponding with 17th October 1855.

Witnessed by Omar bin Ahmed bin Syud Bashtiabeeoh.

ABOO BEKR BIN MAHOMED, elder of the Habr Taljala tribe, at Racoda; done the 5th Zuffer 1272, corresponding with the 17th October 1855.

ABD OMAR, elder of the Habr Taljala tribe, at Unkor; done the 6th day of Zuffer 1272, corresponding with the 18th October 1855.

ALI AHMED, elder of the Habr Taljala tribe, at Unkor; done the 6th Zuffer 1272, corresponding with the 18th October 1855.

HASSUN YOUSEF, elder of the Habr Taljala tribe, at Kurrum; done the 6th day of Zuffer 1272, corresponding with the 18th October 1855.

Witnessed by Omar bin Ahmed bin Syud Bashtiabeeoh.

MAHOMED LEBAN, Chief of the Habr Taljala tribe, at Kurrum; done the 6th Zuffer 1272, corresponding with the 18th October 1855.

YOUSEF OTHMAN, elder of the Habr Taljala tribe, at Ain Tarad; done the 7th Zuffer 1272, corresponding with the 19th October 1855.

AHMED ABOO BEKR MAHOMED LEBAN, elder of the Habr Taljala tribe, at Ain Tarad; done the 7th Zuffer 1272, corresponding with the 19th October 1855.

NO. XLVII.

PROTECTORATE TREATY with the LOWER AULAKI—1888.

The British Government and Bubakr bin 'Abdalla bin Mahdi, reigning Sultan of the Lower 'Aulaki tribe, on behalf of himself and his heirs and successors, and on behalf of his cousin Nasir bin 'Ahmed and his heirs and successors:

And 'Abdalla bin Bubakr bin 'Abdalla, on behalf of himself and his relations, 'Ahmed bin Bubakr, and Mahdi bin Bubakr and 'Ahmed bin Nasir and Nasir bin Ahmed and his and their heirs and successors:

And Bubakr bin Nasir bin 'Ali bin Mahdi, on behalf on himself and his relations, 'Awadth bin Nasir bin Ali, and Madhi bin 'Ali bin Nasir, and 'Abdalla bin 'Ali bin Nasir, and Saleh bin 'Ali bin Nasir and 'Alawi bin 'Ali bin Nasir, and Ghalib bin 'Ali bin Nasir, and 'Ahmed bin Abdalla bin Nasir, and Nasir bin 'Abdalla bin Nasir, and his and their heirs and successors:

And Nasir bin Bubakr bin Nasir bin Bubakr bin Madhi, on behalf of himself and his relations, 'Ali bin Mohammed bin Bubakr, and Nasir bin Mohammed bin Bubakr, and 'Awadth bin Mohammed bin Bubakr, and Bubakr bin Mohammed bin Bubakr, and Abdulla bin Manassar bin Nasir and 'Ali bin Manassar bin Nasir, and Nasir bin Saleh bin Husain, and 'Awadth bin 'Abdulla bin Farid, and Manassar bin Ali bin Farid, and his and their heirs and successors:

And Mahdi bin 'Ali bin Nasir bin Mahdi, on behalf of himself and his relations, Bubakr bin 'Abdulla bin Nasir, and Hassan bin 'Abdalla bin Nasir, and Bubakr bin Nasir bin 'Ali and Mahdi bin Nasir bin Mahdi, and Bubakr bin Nasir bin Mahdi, and Saleh bin Nasir bin Mahdi, and his and their heirs and successors:

All being Sultans of the Lower Aulaki tribe, and all being desirous of maintaining and strengthening the relations of place and friendship existing between them,

The British Government have named and appointed Brigadier-General Adam George Forbes Hogg, C.B., Political Resident at Aden, to conclude a treaty for this purpose.

The said Bigadier-General Adam George Forbes Hogg, C.B., and Bubakr bin. Abdulla bin Mahdi, on behalf of himself and his heirs and successors and on behalf of his cousin Nasir bin 'Ahmed, his heirs and successors :

And 'Abdalla bin Bubakr bin Abdalla, on behalf of himself and his relations 'Ahmed bin Bubakr, and Mahdi bin Bubakr, and 'Ahmed bin Nasir, and Nasir bin 'Ahmed, their heirs and successors :

And Bubakr bin Nasir bin 'Ali bin Mahdi, on behalf of himself and his relations, 'Awadth bin Nasir bin 'Ali and Mahdi bin 'Ali bin Nasir and 'Abdalla bin 'Ali bin Nasir, and Saleh bin Ali bin Nasir and 'Alawi bin Ali bin Nasir, and Ghalib bin 'Ali bin Nasir, and Ahmed bin Abdalla bin Nasir, and Nasir bin 'Abdalla bin Nasir, their heirs and successors :

And Nasir bin Bubakr bin Nasir bin Bubakr bin Madhi, on behalf of himself and his relations, 'Ali bin Mohammed bin Bubakr, and Nasir bin Mohammed bin Bubakr, and Awadth bin Mohammed bin Bubakr, and Bubakr bin Mohamed bin Bubakr and Abdalla bin Manassar bin Nasir, and Ali bin Manassar bin Nasir, and Nasir bin Saleh bin Husain, and Awadth bin Abdalla bin Farid, and Manassar bin Ali bin Farid, their heirs and successors :

And Madhi bin Ali bin Nasir bin Madhi, on behalf of himself and his relation Bubakr bin Abdalla bin Nasir, and Hassan bin Abdalla bin Nasir and Bubakr bin Nasir bin Ali, and Mahdi bin Nasir bin Madhi, and Bubakr bin Nasir bin Madhi, and Saleh bin Nasir bin Madhi, their heirs and successors, have agreed upon and concluded the following articles :—

Article 1.

The British Government, in compliance with the wishes of the aforesaid Sultans of the Lower Aulaki tribe, hereby undertakes to extend to Ahwar and its dependencies, which are under the authority and jurisdiction of the Lower Aulaki tribe, the gracious favour and protection of Her Majesty the Queen-Empress.

Article 2.

The aforesaid Sultans of the Lower 'Aulaki tribe agree and promise, on behalf of themselves and their heirs and successors, to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or power, except with the knowledge and sanction of the British Government; and further promise to give immediate notice to the Resident at Aden, or other British officer, of the attempt by any other power to interfere with Ahwar and its dependencies.

ARTICLE 3.

The above treaty shall have effect from this date. In witness whereof the undersigned have affixed their signatures or seals, at Aden, this second day of June one thousand eight hundred and eighty-eight.

ADEN,
The 2nd June 1888.

(Sd.) A. G. F. HOGG, *Brigadier-General,*
Political Resident, Aden.

Witness:

(Sd.) E. V. STACE, *Lieut.-Col.*
Acting First Astt. Pol. Resident.
The 2nd June 1888.

(Sd.) SULTAN BUBAKR BIN ABDALLA BIN MAHDI.
„ ABDALLA BIN BUBAKR BIN ABDALLA.
„ BUBAKR BIN NASIR BIN' ALI.
„ NASIR BIN BUBAKR.

Mark OF + MAHDI BIN ALI BIN NASIR.

Witnesses:

(Sd.) AHMED BIN BUBAKR.
Mark of + MAHDI BIN ALI.
Mark of + O'ALAWI BIN ALI.
(Sd.) ABDAL MAJID BIN BUBAKR.
„ M. S. JAFFER,
Native Assistant Resident, Aden.

(Sd.) LANSDOWNE,
Viceroy and Governor-General of India.

This Treaty was ratified by the Viceroy and Governor-General of India in Council at Fort William on the 26th day of February A.D. one thousand eight hundred and ninety.

(Sd.) W. J. CUNINGHAM,
Offg. Secy. to the Govt. of India,
Foreign Dept.

No. XLVIII.

TREATY WITH SHARIF AHMAD-AM-MOSHIN OF BEHAN-AL-KASAB.

The British Government and Sharif Ahmad-am-Mohsin of Behan-al-Kasab being desirous of maintaining and strengthening the relations of peace and friendship existing between them;

The British Government have named and appointed Major-General Pelham James Maitland, C.B., Political Resident at Aden, to conclude a treaty for this purpose.

The said Major-General Pelham James Maitland, C.B., and Sharif Ahmad-am-Mohsin aforesaid have agreed upon and concluded the following Articles:—

I

In compliance with the wish of the aforesaid Sharif Ahmad-am-Mohsin the British Government hereby undertakes to extend to the territory of Behan-al-Kasab and its dependencies, being under the authority and jurisdiction of the said Sharif, the gracious favour and protection of His Majesty the King-Emperor.

II

The said Sharif Ahmad-am-Mohsin hereby agrees, on behalf of himself, his heirs and successors, and of the people of Behan-al-Kasab under his jurisdiction, to refrain from entering into any correspondence, agreement or treaty, with any foreign nation or power; an further promises to give immediate notice to the Resident at Aden or other British officer, of the attempt by any Power to interfere with the territory of Behan-al-Kasab or its dependencies.

III

The said Sharif Ahmad-am-Mohsin of Behan-al-Kasab hereby binds himself, his heirs and successors, for ever, that they will not cede, sell, mortgage, lease, hire, or give, or otherwise dispose of, the territory of Behan-al-Kasab, or its dependencies under his jurisdiction, or any part of the same, at any time, to any Power other than the British Government.

IV

The above treaty shall have effect from this date, in witness thereof

the undersigned have affixed their signatures or seals at Aden this twenty-ninth day of December one thousand nine hundred and three.

P. J. MAITLAND, *Major-General,*
Political Resident at Aden.

[Mark of]

SHARIF AHMAD-AM-MOHSIN.

Witnesses—

Witnesses—

[Mark of]

SHEIKH SALIM-BIN-ALI-BIN-NIMRAN-AL-MURADI

H. M. ABUD, *Lt. Col.,*
First Asst. Resident.

[Mark of]

ALI-BIN-HUSEN.

G. W. BURY,
Extra Asst. Resident.

[Mark of]

MOHAMMED-BIN-SHAMAKH-BIN-GHANAM.

Witnesses—

ALI JAFFER,
Head Clerk and Interpreter.

ALI EBRAHIM,
Arabic Clerk.

CURZON,
Viceroy and Governor-General of India.

This treaty was ratified by the Viceroy and Governor-General of India in Council at Backergunge on 24th February 1904.

LOUIS W. DANE,
Secretary to the Government of India,
Foreign Department.

No. XLIX.

PROTECTORATE TREATY with the IRKA—1888.

The British Government and 'Awadth bin Mohammed ba Dàs, Sheikh of Irka and its dependencies, being desirous of maintaining and strengthening the relations of peace and friendship existing between them.

The British Government have named and appointed Brigadier-General Adam George Forbes Hogg, C.B., Political Resident at Aden, to conclude a treaty for this purpose.

The said Brigadier-General Adam George Forbes Hogg, C.B., and 'Awadth bin Mohammed ba-Dàs, Sheikh of 'Irka and its dependencies, aforesaid, have agreed upon and concluded the following articles :—

ARTICLE 1.

The British Government, in compliance with the wish of the undersigned Sheikh 'Awadth bin Mohammed ba-Dàs, hereby undertakes to extend to 'Irka and its dependencies, which are under his authority and jurisdiction, the gracious favour and protection of Her Majesty the Queen-Empress.

ARTICLE 2.

The said Sheikh 'Awadth bin Mohammed ba-Dàs agrees and promises, on behalf of himself, his heirs and successors, to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or power, except with the knowledge and sanction of the British Government; and further promises to give immediate notice to the Resident at Aden, or other British officer, of the attempt by any other power to interfere with 'Irka and its dependencies.

ARTICLE 3.

The above Treaty shall have effect from this date. In witness whereof the undersigned have affixed their signatures or seals at 'Irka this twenty-seventh day of April one thousand eight hundred and eighty-eight.

(Sd.) A. G. HOGG, *Brigadier-General,*
Political Resident, Aden.

Witness:

(Sd.) C. E. GISSING,
Commander, Royal Navy,
Her Majesty's "Osprey."

(Sd.) SHEIKH 'AWADTH MOHAMMED BA-DÀS,
Shaikh of 'Irka.

Witness:

(Sd.) M. S. JAFFER,
Native Assistant Resident, Aden.

(Sd.) LANSDOWNE.

This Treaty was ratified by the Viceroy and Governor-General of India in Council at Fort William on the 26th day of February A. D. one thousand eight hundred and ninety.

(Sd.) W. J. CUNINGHAM,

Officiating Secretary to the Government of India,
Foreign Department.

No. L.

PROTECTORATE TREATY—IRKA.

The British Government and Sheikh Ahmed-bin-Awadth-bin-Muhammad-ba-Das, Sheikh of Irka and its dependencies, being desirous of maintaining and strengthening the relations of peace and friendship existing between them:

The British Government have named and appointed Brigadier-General Pelham James Maitland, C.B., Political Resident at Aden, to conclude a Treaty for this purpose

The said Brigadier-General Pelham James Maitland, C.B., and Sheikh Ahmed-bin-Awadth-ba-Das, Sheikh of Irka and its dependencies, aforesaid, have agreed upon and concluded the following Articles:—

ARTICLE I.

The British Government, in compliance with the wish of the undersigned, Sheikh Ahmed-bin-Awadth-bin-Muhammad-ba-Das, hereby undertakes to extend to Irka and its dependencies, which are under his authority and jurisdiction, the gracious favour and protection of His Majesty the King-Emperor.

ARTICLE II.

The said Sheikh Ahmed-bin-Awadth-bin-Muhammad ba-Das agrees and promises, on behalf of himself, his heirs and successors, to refrain from entering into any correspondence, Agreement or Treaty, with any foreign nation or Power except with the knowledge and sanction of the British Government, and further promises to give immediate notice to the Resident at Aden, or other British officer, of the attempt by any other Power to interfere with Irka and its dependencies.

ARTICLE III.

The aforesaid Sheikh Ahmed-bin-Awadth-bin-Muhammad-ba-Das hereby binds himself, his relations, heirs and successors and the whole tribe for ever that he or they will not cede, sell, mortgage, lease, hire or give, or otherwise dispose of the Irka territory, or any part of the same, at any time, to any Power other than the British Government.

ARTICLE IV.

The above Treaty shall have effect from this date, in witness whereof the undersigned have affixed their signatures and seals at Aden this seventh of January one thousand nine hundred and two.

P. J. MAITLAND, *Brigadier-General,*
Political Resident.

His
SHEIKH AHMED-BIN × AWADTH-BIN-
mark.
MUHAMMAD-BA-DAS.

Witness—

R. S. POTTINGER, *Captain,*
Acting First Assistant Political Resident.

M. RUSTOMJEE,
Acting Fourth Assistant Political Resident.

CURZON,
Viceroy and Governor-General of India.

This Treaty was ratified by the Viceroy and Governor-General of India in Council at Calcutta, on the 27th day of March, A.D. one thousand nine hundred and two.

H. S. BARNES,
Secretary to the Government of India,
Foreign Department.

No. LI.

PROTECTORATE TREATY with the LOWER HAURA—1888.

The British Government and Abdalla bin Mohammed ba Shahed and his brothers Ahmed bin Mohammed, Said bin Mohammed, and 'Ali bin Mohammed, Sheikhs of Lower Haura and its dependencies, being desirous of maintaining and strengthening the relations of peace and friendship existing between them.

The British Government have named and appointed Brigadier-General Adam George Forbes Hogg, C.B., Political Resident at Aden, to conclude a treaty for this purpose.

The said Brigadier-General Adam George Forbes Hogg, C.B., and Sheikh 'Abdalla bin Mohammed ba Shahid and his brothers 'Ahmed bin

Mohammed, Said bin Mohammed and 'Ali bin Mohammed, aforesaid, have agreed upon and concluded the following articles:—

ARTICLE 1.

The British Government in compliance with the wish of the undersigned, 'Abdalla bin Mohammed ba Shahid, and his brothers 'Ahmed bin Mohammed, Said bin Mohammed and 'Ali bin Mohammed, Sheikhs of Lower Haura and its dependencies, hereby undertake to extend to Lower Haura and its dependencies, which are under their authority and jurisdiction, the gracious favour and protection of Her Majesty the Queen-Empress.

ARTICLE 2.

The said Abdalla bin Mohammed ba Shahid and his brothers Ahmed bin Mohammed Said bin Mohammed and Ali bin Muhammed, agree and promise, on behalf of themselves and their heirs and successors, to refrain from entering into any correspondence, agreement or treaty, with any foreign nation or power, except with the knowledge and sanction of the British Government; and further promise to give immediate notice to the Resident at Aden, or other British officer, of the attempt by any other power to interfere with Lower Haura and its dependencies.

ARTICLE 3.

The above Treaty shall have effect from this date. In witness whereof the undersigned have affixed their signatures or seals at Lower Haura this twenty-eighth day of April one thousand eight hundred and eighty-eight.

(Sd.) A. G. F. HOGG, *Brigadier-General,*
Political Resident, Aden.

Witness:

(Sd.) C. E. GISSING, *Commander, Royal Navy,*
Her Majesty's "Osprey."

(Sd.) SHEIKH ABDALLA BIN MOHAMMED BA SHAHID,
Owner of Haura, Lower.

Mark of AHMED BIN MOHAMMED.

„ SAID BIN MOHAMMED.

„ ALI BIN MOHAMMED.

Witness:

(Sd.) M. S. JAFFER,
Native Assistant Resident, Aden.

(Sd.) ALI BIN SAHIB BIN ABD-AS-SAMAD,

(Sd.) LANSDOWNE,
Viceroy and Governor-General of India.

This Treaty was ratified by the Viceroy and Governor-General of India in Council at Fort William on the 26th day of February A.D. one thousand eight hundred and ninety.

(Sd.) W. J. CUNINGHAM,

Officiating Secretary to the Government of India,
Foreign Department.

No. LII.

PROTECTORATE TREATY—HAURA.

The British Government and Sheikh Saleh-bin-Awadth, Sheikh of Haura and its dependencies, being desirous of maintaining and strengthening the relations of peace and friendship existing between them:

The British Government have named and appointed Brigadier-General Pelham James Maitland, C.B., Political Resident at Aden, to conclude a treaty for this purpose.

The said Brigadier-General Pelham James Maitland, C.B., and Sheikh Saleh-bin-Awadth, Sheikh of Haura and its dependencies, aforesaid, have agreed upon and concluded the following articles:—

ARTICLE I.

The British Government, in compliance with the wish of the undersigned Sheikh-Saleh-bin-Awadth, hereby undertakes to extend to Haura and its dependencies, which are under his authority and jurisdiction, the gracious favour and protection of His Majesty the King-Emperor.

ARTICLE II.

The said Sheikh-Saleh-bin-Awadth agrees and promises, on behalf of himself, his heirs and successors, to refrain from entering into any correspondence, agreement or treaty, with any foreign nation or Power, except with the knowledge and sanction of the British Government, and further promises to give immediate notice to the Resident at Aden, or other British officer, of the attempt by any other Power to interfere with Haura and its dependencies.

ARTICLE III.

The aforesaid Sheikh Saleh-bin-Awadth hereby binds himself, his relations, heirs and successors and the whole tribe for ever, that he or they will not cede, sell, mortgage, lease, hire or give, or otherwise dispose of the Haura territory, of any part of the same, at any time, to any Power other than the British Government.

ARTICLE IV.

The above treaty shall have effect from this date, in witness whereof the undersigned have affixed their signatures and seals at Aden this seventh of April one thousand nine hundred and two.

P. J. MAITLAND, *Brigadier-General,*
Political Resident at Aden.

His
SHEIKH SALEH × -BIN-AWADTH,
mark.

Witness—

R. S. POTTINGER, *Captain,*
Acting First Assistant to the Political Resident.

M. RUSTOMJEE,
Acting Fourth Assistant to the Political Resident.

CURZON,
Viceroy and Governor-General of India.

This treaty was ratified by the Viceroy and Governor-General of India in Council at Simla on the 13th day of June A.D. one thousand nine hundred and two.

H. S. BARNES,
Secretary to the Government of India,
Foreign Department.

No. LIII.

ENGAGEMENT of FRIENDSHIP and PEACE entered into, on the 12th February 1839, by SHEIKH ARSEL BIN HYDEE BIN AHMED, MUSAIDEE of a district of the YAFFAEES, and the accredited Agent from the ancient Chieftain SULTAN ALI GHALIB, of the YAFFAEES, with COMMANDER HAINES, of the INDIAN NAVY, on behalf of the HONOURABLE EAST INDIA COMPANY.

We agree that there shall be peace and friendship between us, and that the English at Aden shall be at peace with us. Should the subjects of either country enter the other's territory, they shall not be molested or insulted but be considered as friends.

If kafilas from the Yaffaee district wish to enter Aden by the Gar Wallah territory for trade, they shall not be molested, but the property

respected by both parties, and the owners allowed free intercourse and barter. They may export from Aden, and they shall be respected.

Dated Aden, the 21st February 1839.

(Sd.) SHEIKH HASIL BIN HADEE BIN AHMED.

Witness:

(Sd.) ALI ABDULLAH SYUD ALOWI.

LITERAL TRANSLATION of a TREATY concluded by SULTAN ALI GHALIB and his son AHMED BIN ALI GHALIB, of the tribe of YAFFAEE AL EFEFEE—1839.

In the name of God, the Merciful, the Clement!

We faithfully agree, on the part of ourselves and those who are subordinate to them, those of the tribe of Yaffaee and those who are dependent on them, and of the tribe of Mureedea and Sayeedeh and those dependent on them, and for Commander Haines, Governor of Aden, for all and every belonging to them, on Sultan Muhsin Fuzil Obaid Ali, Commander Haines, Governor of Aden, and representative of the Company, and in the manner that went, the Sultan Obaid Ali, past and future, and those of the tribe who are gone and are coming, that they shall possess their own property, and that whatever they have shall be theirs, and whatever loss is occasioned to them in Lahej or round about it, or in its environs, or in Aden, or on the road of Aden, are included in the same Treaty concluded by Obaid Ali, and if any injury is occasioned by the tribe of Yaffaee or by its dependants Ali Ghalib shall be responsible, and if at any time Ali Ghalib will render assistance to any one of the Sultans, or any one of the other tribes, the Treaty confirmed by God will be violated between us and him, and our hand and the hand of Sultan Muhsin shall be as one, and our friends and the friends of the Sultan shall be the same. If any of the above shall be plundered on the road of Lahej the Treaty will be infringed; and if anything which we have is broken or taken away, and if any one makes war in Lahej, or kills any one in Lahej, or in Aden, or on the road of Aden, and it shall be known that that man is of the tribe of Yaffaee or one of its dependants, he (Sultan Ali Ghalib) will be responsible. This Treaty of God which we have will never become old, but be always held to be new. We shall take what is agreed upon every six months, commencing the 1st Zilkad 1254 Hegira (18th January 1839), and what is agreed upon will be taken by us, or by the Sultan, or by his son. This is what has been agreed upon and settled by Sultan Ali Ghalib and his son Ahmed bin Ali Ghalib, and has been agreed to by their representatives Hasil bin Ahmed bin Hadee and Hyder bin Ahmed, who have been sent by them, and they are the representatives of

Ali Ghalib, and this is concluded this 25th day of Rubbee-ool-Awul 1255 Hegira (8th June 1839).

Witnesses:

(Sd.) SYED MAHOMED BIN ZAIN BIN BOO BEKR,

„ KAZEE ABDOOL RUZA BIN ALI SAAD BIN MUSUOOD,

„ HASIL BIN AHMED BIN WADEE, *of the tribe of Mooredee, Vakeels of Ali Ghalib.*

„ MAHOMED ALI YEHIA.

„ JAFFER MOONSHEE, *of the Company's Government.*

HYDER BIN AHMED YAFFAEE, *Vakeel of Ali Ghalib.*

No. LIV.

PROTECTORATE TREATY.—LOWER YAFII.

The British Government and Bubakar bin Saif, the Yafii Sultan of Khanfar, Al Husn Masana Ar-Rawwa Al-Kara and the Lower Yafii country with their dependencies, being desirous of maintaining and strengthening the relations of peace and friendship existing between them.

The British Government have named and appointed Brigadier-General Charles Alexander Cuningham, Political Resident at Aden, to conclude a treaty for this purpose.

The said Brigadier-General Charles Alexander Cuningham and Sultan Bubakar bin Saif, the Yafii aforesaid, have agreed upon and concluded the following articles:—

ARTICLE I.

The British Government, in compliance with the wish of the undersigned, Sultan Bubakar bin Saif, the Yafii hereby undertakes to extend to Khanfar, Al Husn, Masana Ar-Rawwa Al-Kara and the Lower Yafii country with their dependencies, which are under his authority and jurisdiction, the gracious favour and protection of Her Majesty the Queen-Empress.

ARTICLE II.

The said Sultan Bubakar bin Saif the Yafii agrees and promises on behalf of himself, his relations, heirs, successors and the whole tribe to refrain from entering into any correspondence, agreement or treaty. with any Foreign Nation or Power, except with the knowledge and sanction of the British Government, and further promises to give immedate notice to the Resident at Aden or other British officer, of the attempt by any other

Power to interfere with Khanfar, Al-Husn, Masana, Ar-Rawwa Al-Kara and the Lower Yafii country and their dependencies.

ARTICLE III.

The said Sultan Bubakar bin Saif, the Yafii, hereby binds himself, his relations, heirs, successors and the whole tribe for ever that he or they will not cede, sell, mortgage, lease, hire or give or otherwise dispose of the Lower Yafii territory and its dependencies or any part of the same, at any time, to any Power, or person other than the British Government.

ARTICLE IV.

The above treaty shall have effect from this date. In witness whereof the undersigned have affixed their signatures or seals at Aden this first day of August one thousand eight hundred and ninety-five, A. D.

(Sd.) C. A. CUNINGHAM, *Brigadier-General,*
Political Resident, Aden.

Witness.

(Sd.) W. B. FERRIS, *Major,*
First Assistant Resident, Aden.

(Sd.) ELGIN,
Viceroy and Governor-General of India.

This treaty was ratified by the Viceroy and Governor General of India in Council at Simla, on the 28th day of October A. D., one thousand eight hundred and ninety-five.

(Sd.) W. J. CUNINGHAM,
Secretary to the Government of India, Foreign Department.

No. LV.

TREATY WITH THE DTHUBI SECTION OF THE YAFFAI-AS-SAFFAL.

The British Government and Muhammad Muthanna-bin-Atif Jabar and his brother, Amr Muthanna-bin-Atif Jabar, the Sheikhs of the Dthubi Section of the tribe Yaffai-as-Saffal, being desirous of entering into relations of peace and friendship;

The British Government have named and appointed Brigadier-General Pelham James Maitland, C.B., Political Resident at Aden, to conclude a treaty for this purpose.

The said Brigadier-General Pelham James Maitland, C.B., and the Sheikhs Muhammad Muthanna-bin-Atif Jabar and Amr Muthanna-bin-Atif Jabar aforesaid have agreed upon and concluded the following Articles:—

I

There shall be peace and friendship between the British and the Dthubi. The subjects of the British and the tribesmen of the Dthubi shall each be free to enter the territories of the other; they shall not be molested, but shall be treated with respect at all times and in all places. The Sheikhs of the Dthubi shall visit Aden when they please. They shall be treated with respect and be given passes to carry arms.

II

In compliance with the wish of the aforesaid Muhammad Muthanna-bin-Atif Jabar and Amr Muthanna-bin-Atif Jabar, Sheikhs of the Dthubi, the British Government hereby undertakes to extend to the territory of the Dthubi and its dependencies, being under the authority and jurisdiction of the said Sheikhs, the gracious favour and protection of His Majesty the King-Emperor.

III

The said Sheikhs Muhammad Muthanna-bin-Atif Jabar and Amr Muthanna-bin-Atif Jabar hereby agree and promise, on behalf of themselves, their heirs and successors, and the whole of the Dthubi clan, to refrain from entering into any correspondence, agreement, or treaty with any foreign Nation or Power; and further promise to give immediate notice to the Resident at Aden, or other British officer, of the attempt by any other Power to interfere with the territory of the Dthubi and its dependencies.

IV

The said Sheikhs Muhammad Muthanna-bin-Atif Jabar and Amr Muthanna-bin-Atif Jabar hereby bind themselves and their heirs and successors for ever that they will not cede, sell, mortgage, lease, hire, or give, or otherwise dispose of, the territory of the Dthubi or any part of the same, at any time, to any Power other than the British Government.

V

The said Sheikhs Mahammad Muthanna-bin-Atif Jabar and Amr Muthanna-bin-Atif Jabar further promise, on behalf of themselves, their heirs and successors, and their tribesmen, that they will keep open the roads in the country of the Dthubi, and that they will protect all persons who may be going in the direction of Aden for the purposes of trade, or returning therefrom. In consideration thereof the British Government

agrees to pay to the said Sheikhs and to their successor or successors a monthly sum of 40 (forty) dollars, the half of which is 20 dollars.

VI

The above treaty shall have effect from this date. In witness thereof the undersigned have affixed their signatures or seals at Aden this eleventh day of May one thousand nine hundred and three.

P. J. MAITLAND, *Brigadier-General,*
Political Resident.

Witnesses—

H. M. ABUD, *Lieut.-Col.,*
Political Agent and First Assistant Resident.

G. W. BURY.

[Seal of] SHEIKH MUHAMMAD MUTHNANA-BIN-ATIF JABAR.

[Signature of] SHEIKH AMR-BIN-SHEIKH-MUTHANNA-BIN-ATIF JABAR.

Witnesses—

ABDALLA-BIN-AIDAROS,
Mansab of Aden.

ALI JAFFER.

CURZON,
Viceroy and Governor-General of India.

This treaty was ratified by the Viceroy and Governor-General of India in Council at Simla on the 26th day of October, A.D., one thousand nine hundred and three.

LOUIS W. DANE,
Secretary to the Government of India,
Foreign Department.

No. LVI.

TREATY WITH THE MAUSATTA SECTION OF THE YAFFAI-AS-SAFFAL.

The British Government and Sheikh Ali-bin-Askar-bin-Ali Kasim and his brother, Sheikh Mohsin-bin-Askar-bin-Ali Kasim, the Nakibs of the

Mausatta section of the tribe Yaffai-as-Saffal, being desirous of entering into relations of peace and friendship ;

The British Government have named and appointed Brigadier-General Pelham James Maitland, C.B., Political Resident at Aden, to conclude a treaty for this purpose.

The said Brigadier-General Pelham James Maitland, C.B., and the Nakibs Ali-bin-Askar-bin-Ali Kasim and Mohsin-bin-Askar-bin-Ali Kasim aforesaid have agreed upon and concluded the following Articles :

I

There shall be peace and friendship between the British and the Mausatta. The subjects of the British and the tribesmen of the Mausatta shall each be free to enter the territories of the other ; they shall not be molested, but shall be treated with respect at all times and in all places. The Nakibs of the Mausatta shall visit Aden when they please. They shall be treated with respect and be given passes to carry arms.

II

The said Nakibs Ali-bin-Askar-bin-Ali Kasim and Mohsin-bin-Askar-bin-Ali Kasim hereby agree and promise on behalf of themselves, their heirs and successors, and the whole of the Mausatta clan, to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or Power ; and further promise to give immediate notice to the Resident at Aden, or other British officer, of the attempt by any other Power to interfere with the territory of the Mausatta and its dependencies.

III

The said Nakibs Ali-bin-Askar-bin-Ali Kasim and Mohsin-bin-Askar-bin-Ali Kasim hereby bind themselves and their heirs and successors for ever that they will not cede, sell, mortgage, lease, hire, or give, or otherwise dispose of, the territory of the Mausatta or any part of the same at any time, to any Power other than the British Government.

IV

The said Nakibs Ali-bin-Askar-bin-Ali Kasim and Mohsin-bin Askar-bin-Ali Kasim further promise on behalf of themselves, their heirs and successors and their tribesmen, that they will keep open the roads in the country of the Mausatta, and that they will protect all persons who may be going in the direction of Aden for the purposes of trade, or returning therefrom. In consideration thereof the British Government agrees to pay to the said Nakibs and to their successor or successors a monthly sum of 50 (fifty) dollars, the half of which is twenty-five dollars.

V

The above treaty shall have effect from this date. In witness thereof the undersigned have affixed their signatures or seals at Aden, this Third day of July One thousand nine hundred and three.

P. J. MAITLAND, *Brigadier-General,*
Political Resident.

Witnesses—

H. M. ABUD, *Lieut.-Col.,*
Political Agent and First Assistant Resident.

G. W. BURY,
Extra Assistant Resident.

[Seals of] ALI-BIN-ASKAR-BIN-ALI KASIM and
MOHSIN-BIN-ASKAR-BIN-ALI KASIM.

Witnesses—

ALI JAFFER.

ABDUL RUB SALIM, A.G.

CURZON,
Viceroy and Governor-General of India.

This treaty was ratified by the Viceroy and Governor-General of India in Council at Simla, on the 26th day of October, A.D., One thousand nine hundred and three.

LOUIS W. DANE,
Secretary to the Government of India,
Foreign Department.

No. LVII.

TREATY WITH THE MUFLAHAI SECTION OF THE YAFFAI-AS-SAFFAL.

The British Government and Abdul Rahman-bin-Kassim-as-Sakkaf, Sheikh of the Muflahai section of the tribe Yaffai-as-Saffal, being desirous of entering into relations of peace and friendship;

The British Government have named and appointed Major-General Pelham James Maitland, C.B., Political Resdient at Aden, to conclude a treaty for this purpose.

The said Major-General Pelham James Maitland, C.B., and the Sheikh Abdul Rahman-bin-Kassim-as-Sakkaf aforesaid have agreed upon and concluded the following articles :—

I

There shall be peace and friendship between the British and the Muflahai. The subjects of the British and the tribesmen of the Muflahai shall each be free to enter the territories of the other; they shall not be molested, but shall be treated with respect at all times and in all places. The Sheikhs of the Muflahai shall visit Aden when they please. They shall be treated with respect and be given passes to carry arms.

II

In compliance with the wish of the aforesaid Abdul Rahman-bin-Kassim-as-Sakkaf, Sheikh of the Muflahai, the British Government hereby undertakes to extend to the territory of the Muflahai and its dependencies being under the authority and jurisdiction of the said Sheikh, the gracious favour and protection of His Majesty the King-Emperor.

III

The said Sheikh Abdul Rahman-bin-Kassim-as-Sakkaf hereby agrees and promises, on behalf of himself, his heirs and successors, and the whole of the Muflahai clan, to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or power; and further promises to give immediate notice to the Resident at Aden or other British officer, of the attempt by any other power to interfere with the territory of the Muflahai and its dependencies.

IV

The said Sheikh Abdul Rahman-bin-Kassim-as-Sakkaf hereby binds himself and his heirs and successors for ever that they will not cede, sell, mortgage, lease, hire, or give, or otherwise dispose of the territory of the Muflahai, or any part of the same, at any time, to any power other than the British Government.

V

The said Sheikh Abdul Rahman-bin-Kassim-as-Sakkaf further promises on behalf of himself, his heirs and successors, and his tribesmen that they will keep open the roads in the country of the Muflahai, and that they will protect all persons who may be going in the direction of Aden for the purpose of trade or returning therefrom. In consideration thereof the British Government agrees to pay to the said Sheikh and to his successors a monthly sum of forty (40) dollars, the half of which is twenty dollars.

VI.

The above treaty shall have effect from this date. In witness thereof the undersigned have affixed their signatures or seals at Dthala, this Twenty-seventh day of August One thousand nine hundred and three.

P. J. MAITLAND, *Major-General,*
Resident at Aden.

Witnesses—
G. WARNEFORD, *Captain,*
Assistant Political Resident at Aden.
SYED HAMOOD-BIN-HASON,
Clerk.

Witnesses— ABDUL RAHMAN-BIN-KASSIM, *al Muflahai.*
SALEH-BIN-KASSIM-AS-SAKKAF, *al Muflahai.*
NASHIR HUSEN, *al Muflahai.*

CURZON,
Viceroy and Governor-General of India.

This treaty was ratified by the Viceroy and Governor-General of India in Council at Simla, on the 26th day of October, A.D., one thousand nine hundred and three.

LOUIS W. DANE,
Secretary to the Government of India,
Foreign Department.

No. LVIII.

TREATY WITH SULTAN KAHTAN-BIN-OMER HAR-HARA OF YAFFAI-AS-SUFAL.

The British Government and Sultan Kahtan-bin-Omer Har-Hara Sultan of Yaffai-as-Sufal, being desirous of entering into relations of peace and friendship;

The British Government have named and appointed Major-General Pelham James Maitland, C.B.. Political Resident at Aden, to conclude a treaty for this purpose.

The said Major-General Pelham James Maitland, C.B., and the Sultan Kahtan-bin-Omer Har-Hara of the Yaffai-as-Sufal aforesaid have agreed upon and concluded the following Articles:—

I

There shall be peace and friendship between the British and the tribesmen of Yaffai-as-Sufal. The subjects of the British and the tribesmen of the Yaffai-as-Sufal under the authority of the said Sultan shall each be free to enter the territories of the other; they shall not be molested, but shall be treated with respect at all times and in all places. The Sultan of the Yaffai-as-Sufal and his successors shall visit Aden when they please. They shall be treated with respect and be given passes to carry arms.

II

In compliance with the wish of the aforesaid Sultan Kahtan-bin-Omer Har-Hara, Sultan of the Yaffai-as-Sufal, the British Government hereby undertakes to extend to the territory of the Sultan of Yaffai-as-Sufal and its dependencies, being under the authority and jurisdiction of the said Sultan, the gracious favour and protection of His Majesty the King-Emperor.

III

The said Sultan Kahtan-bin-Omer Har-Hara hereby agrees and promises, on behalf of himself, his heirs and successors, and the tribesmen of the Yaffai-as-Sufal under his authority to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or power; and, further, promises to give immediate notice to the Resident at Aden or other British officer of the attempt by any other Power to interfere with the territory of the Yaffai-as-Sufal and its dependencies.

IV

The said Sultan Kahtan-bin-Omer Har-Hara hereby binds himself, and his heirs and successors for ever that they will not cede, sell, mortgage, lease, hire or give, or otherwise dispose of the territory of the Yaffai-as-Sufal, being under his authority and jurisdiction or any part of the same at any time, to any Power other than the British Government.

V

The said Sultan Kahtan-bin-Omer Har-Hara further promises, on behalf of himself, his heirs and successors, and his tribesmen and dependents, that they will keep open the roads in the country of the Yaffai-as-Sufal, and that they will protect all persons who may be going in the direction of Aden for the purpose of trade, or returning therefrom. In consideration thereof the British Government agrees to pay to the said Sultan and to his successor, or successors, a monthly sum of fifty (50) dollars, the half of which is twenty-five dollars.

VI

The above treaty shall have effect from this date. In witness thereof the undersigned have affixed their signatures or seals at Dthala, this twenty-first day of October, one thousand nine hundred and three.

P. J. MAITLAND, *Major-General,*
Political Resident at Aden.

Witnesses—

G. WARNEFORD, *Captain,*
Assistant Political Resident.

SAIYID HAMOOD-BIN-HASON, *Clerk.*

[Seal.]

SULTAN KAHTAN-BIN-OMER HAR-HARA.

Witnesses—

(*Signatures in vernacular.*)

SULTAN MUHAMMAD-BIN-MANASSAR HAR-HARA.

SHEIKH ABDUL RAHMAN AL MUFLAHAI.

CURZON,
Viceroy and Governor-General of India.

This treaty was ratified by the Viceroy and Governor-General of India in Council at Fort William on the 31st day of December, A.D., one thousand nine hundred and three.

LOUIS W. DANE,
Secretary to the Government of India,
Foreign Department.

No. LIX.

TREATY WITH THE HADTHRAMI SECTION OF THE YAFFAI-AS-SAFFAL.

The British Government and Mohsen-bin-Mohsen-bin Ghalib, Sheikh of the Hadthrami section of the tribe Yaffai-as-Saffal, being desirous of entering into relations of peace and friendship;

The British Government have named and appointed Major-General Pelham James Maitland, C.B., Political Resident at Aden, to conclude a treaty for this purpose.

The said Major-General Pelham James Maitland, C.B., and the Sheikh Mohsen-bin-Mohsen-bin-Ghalib, the Hadthrami aforesaid, have agreed upon and concluded the following Articles:—

I

There shall be peace and friendship between the British and the Hadthrami. The subjects of the British and the tribesmen of the Hadthrami shall each be free to enter the territories of the other; they shall not be molested, but shall be treated with respect at all times and in all places. The Sheikhs of the Hadthrami shall visit Aden when they please. They shall be treated with respect and be given passes to carry arms.

II

In compliance with the wish of the aforesaid Mohsen-bin-Mohsen-bin-Ghalib, Sheikh of the Hadthrami, the British Government hereby undertakes to extend to the territory of the Hadthrami and its dependencies, being under the authority and jurisdiction of the said Sheikh, the gracious favour and protection of His Majesty the King-Emperor.

III

The said Sheikh Mohsen-bin-Mohsen-bin-Ghalib hereby agrees and promises on behalf of himself, his heirs and successors, and the whole of the Hadthrami clan to refrain from entering into any correspondence, agreement, or treaty with any foreign nation of Power; and further promises to give immediate notice to the Resident at Aden, or other British officer, of

the attempt by any other Power to interfere with the territory of the Hadthrami and its dependencies.

IV

The said Sheikh Mohsen-bin-Mohsen-bin-Ghalib hereby binds himself and his heirs and successors for ever that they will not cede, sell, mortgage, lease, hire, or give or otherwise dispose of, the territory of the Hadthrami, or any part of the same, at any time, to any Power other than the British Government.

V

The said Sheikh Mohsen-bin-Mohsen-bin-Ghalib further promises on behalf of himself, his heirs and successors, and his tribesmen, that they will keep open the roads in the country of the Hadthrami, and that they will protect all persons who may be going in the direction of Aden for the purpose of trade, or returning therefrom. In consideration thereof the British Government agrees to pay to the said Sheikh and to his successor, or successors, a yearly sum of one hundred and twenty (120) dollars, the half of which is sixty dollars.

VI

The above treaty shall have effect from this date. In witness thereof the undersigned have affixed their signatures or seals at Dthala this twenty-sixth day of September, one thousand nine hundred and three.

P. J. MAITLAND, *Major-General,*
Resident at Aden.

[Signature in vernacular.]
MOHSEN-BIN-MOHSEN-GHALIB-AL-HADTHRAMI.

Witnesses—

G. WARNEFORD, *Captain,*
Assistant Resident.

SALEH [his mark] AHMED.

HAMOOD-BIN-SYED HASON,
Clerk.

CURZON,
Viceroy and Governor-General of India.

This treaty was ratified by the Viceroy and Governor-General of India in Council at Fort William, on the 31st day of December, A.D., one thousand nine hundred and three.

LOUIS W. DANE,
Secretary to the Government of India,
Foreign Department.

No. LX.

Treaty with the Shaibi tribe of Yaffai-as-Sufal.

The British Government and Ali-bin-Mane the Sakladi Sheikh of the Shaibi tribe, being desirous of entering into relations of peace and friendship;

The British Government have named and appointed Major-General Pelham James Maitland, C.B., Political Resident at Aden, to conclude a treaty for this purpose.

The said Major General Pelham James Maitland, C.B., and the Sheikh Ali-bin-Mane the Sakladi aforesaid, have agreed upon and concluded the following Articles:—

I

There shall be peace and friendship between the British and the Shaibi. The subjects of the British and the tribesmen of the Shaibi shall each be free to enter the territories of the other; they shall not be molested, but shall be treated with respect at all times and in all places. The Sheikhs of the Shaibi shall visit Aden when they please. They shall be treated with respect and be given passes to carry arms.

II

In compliance with the wish of the aforesaid Ali-bin-Mane the Sakladi Sheikh of the Shaibi, the British Government hereby undertakes to extend to the territory of the Shaibi and its dependencies, being under the authority and jurisdiction of the said Sheikh, the gracious favour and protection of His Majesty the King-Emperor.

III

The said Sheikh Ali-bin-Mane the Sakladi hereby agrees and promises on behalf of himself, his heirs and successors, and the whole of the Shaibi tribe to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or Power; and further promises to give immediate notice to the Resident at Aden, or other British officer, of the attempt by any other Power to interfere with the territory of the Shaibi and its dependencies.

IV

The said Sheikh Ali-bin-Mane the Sakladi hereby binds himself and his heirs and successors for ever that they will not cede, sell, mortgage, lease, hire, or give, or otherwise dispose of, the territory of the Shaibi, or any part of the same, at any time, to any Power other than the British Government.

V

The said Sheikh Ali-bin-Mane the Sakladi further promises on behalf of himself, his heirs and successors, and his tribesmen, that they will keep open the roads in the country of the Shaibi, and that they will protect all persons who may be going in the direction of Aden for the purpose of trade, or returning therefrom. In consideration thereof the British Government agrees to pay to the said Sheikh and to his successor, or successors, a monthly sum of ten (10) dollars, the half of which is five dollars.

VI

The above treaty shall have effect from this date. In witness thereof, the undersigned have affixed their signatures or seals at Suleik, this fifth day of December, one thousand nine hundred and three.

Signed by me at Aden, this fourteenth day of December, one thousand nine hundred and three. [Signature in vernacular.]

P. J. MAITLAND, *Major-General,* *Political Resident at Aden.*

SHEIKH ALI MANE THE SAKLADI.

Witnesses—

H. M. ABUD, *Lieut.-Col.,* *Political Agent and First Assistant Resident.*

SHEIKH MOHSIN MANE THE SAKLADI.

E. O'BRIEN, *Captain,* *Assistant Resident.*

A. SABIB, *Clerk to Political Officer.*

(Sd.) CURZON,
Viceroy and Governor-General of India.

This treaty was ratified by the Viceroy and Governor-General of India in Council at Fort William on the 5th day of February, A. D., one thousand nine hundred and four.

(Sd.) LOUIS W. DANE,
Secretary to the Government of India,
Foreign Department.

No. LXI.

AGREEMENT BETWEEN THE RESIDENT AT ADEN AND THE SHEIKH MUTAHIR ALI OF ARDAF IN SAHIB, REGARDING THE CARE OF THE BOUNDARY PILLARS.

The Resident will pay always to the Sheikh Mutahir Ali from the kindness of Government the sum of dollars seven per mensem in token of the friendship and assistance rendered by the said Sheikh to the British Government, and particularly to the Aden Boundary Commission. The said Sheikh agrees to always remain in friendship and obedience to the British Government and in assistance to its officers and also that he will preserve and guard the boundary pillars that have been put up on the frontier of the said Sheikh's country and when they are damaged or broken that he will repair them.

Signed at Dthala the twenty-fourth day of October 1903, corresponding to 3rd day of Shaban 1321 H.

G. WARNEFORD, *Captain,*
Political Officer, on behalf of the Political Resident, Aden.

Witness—
SAIYD HAMUD-BIN-HASAU.

MUSAID BIN MUTAHIR,
on behalf of Sheikh Mutahir Ali.

NO. LXII.

TRANSLATION of a BOND entered into by SULTAN MANA BIN SALAM, of the HOWSHABEE, and his son SALAM BIN MANA, of the HOWSHABEE—1839.

Sultan Mana bin Salam, of the Howshabee, and his son Salam bin Mana, of the Howshabee, declare of their own accord that they enter into an agreement with all those under them, belonging to Howshabee, their clans, and all those dependent upon them, the Chief of Haroor-ool-Awajeer, and the whole Howshabee, as before arranged with Commander Haines, Governor of Aden, who sincerely agrees to pay the allowances received by them from Sultan Muhsin Fadhl Abdalee. What has been arranged between them (Commander Haines and the Sultan) is that whatever belongs to the Sultans of Abdalee, former and succeeding, and to those of the Howshabee, former and succeeding, shall be theirs respectively.

The Abdalee shall be responsible, as is agreed upon, for all outrages committed in Lahej, its neighbourhood, or within its limits, or in Aden, its roads, or within its boundaries, and Mana bin Salam for those perpetrated by the Howshabee, their clans, or those subject to them. In case Mana render any assistance to any other Sultan or tribe, this Bond is to be considered null and void. Our (Sultan Mana's) hand is the same as that of Sultan Muhsin Fadhl, and our friend is identical with Sultan Muhsin. In the event of any plunder by any of the above tribes on the roads or in Lahej, the Bond which we have shall be considered null until we make

restitution of whatever may be carried away. Should any one commit an assault or murder in Lahej or Aden, or on the roads, and should such person be proved to be one of the Howshabee or of their clans, he shall be seized and considered an offender. This Bond is binding and lasting. We shall receive our allowance from Government every six months or a part, if necessary, after two months. This is to commence from the month of Zilkad, Hegira 1254 (January-February 1839). The above people shall receive the allowance fixed for them through us or the Sultan (Muhsin) or his children. These are the stipulations agreed upon by Sultan Mana bin Salam and Salam bin Mana, and which are mediated by Abee Muhsin bin Wugees bin Kassim Suffeean, who is Vakeel of the Howshabee. These points are agreed to on Friday, the 2nd Rubee-oos-Sanee, Hegira 1255 (14th June 1839). The allowance fixed for the Howshabee is 628 Cooroosh Fransa per annum, half of which is 314 Cooroosh.

Witnesses:

MAHOMED HOUSSAIN BIN WAIS BIN KASSIM SUFFEEAN JAFFER, *Translator.*

KAZEE-ABDOOL RAZZAK BIN ALI.

ALI BIN ABDOOLLAH ALI.

No. LXIII.

TREATY of FRIENDSHIP and PEACE between the ENGLISH and HAZZABEE TRIBE—1839.

Bismillah Ir-Rehman Ir-Rehim Be Minnet Allah!

This agreement is between the Hazzabees for peace. On the part of Sheikh Abdoollah Hazzaab, Sheikh Hamed bin Abdoollah Hazzeeb Mukee Hazzabee, and Commander Haines, the English Agent, on the part of Government. We are now friends, and promise peace and friendship, great and lasting friendship, and that our hearts and wishes are one.

Further, that there shall be peace and friendship with Aden, and that if any of our subjects or the subjects of Britain pass into each other's territory, neither party shall be insulted or injured; we are one. If the subjects of either do wrong, they are to be given over for punishment by their own laws.

In the presence of—

(Sd.) SYUD ALOWI BIN AIDROOS ALI BIN BOO BEKR RASHED ABDOOLLAH

„ SHEIKH MAHOMED BIN ABDOOLLAH HUZZEEB MUKEE HAZZABEE.

„ S. B. HAINES.

15th Zilkadeh,
31st January 1839.

No. LXIV.

Articles of Agreement entered into by Sultan Mohsin bin 'Ali, the Haushabi, with the Sultan of the 'Abdali.

Article I.

Mohsin bin 'Ali, the Haushabi, al Abd Farid, and Saud ba Salim Ahl Yehia bind themselves that they agree and will sign conditions which the Resident of Aden shall require for the protection of the Haushabi country, and that they shall have no connection with any Foreign Power, Turkish or others.

Article II.

That Ahl Fajjar and the Haushabis shall not appoint a Sultan except by the advice and consent of Sultan Fadthl bin 'Ali, the 'Abdali.

Article III.

That the Haushabi taxes shall be under the supervision of Sultan Fadthl bin 'Ali, the 'Abdali (Sultan of Lahej), and the collection of the same in his country wherever he wishes in his limits. That Mohsin bin 'Ali, the Haushabi, his relatives and those who have shares in the taxes keep a person they elect and trust to receive the taxes. The rates to be levied according to the paper (scale) given by him (Sultan Fadthl bin 'Ali).

Article IV.

That the Haushabi Sultan shall not seize any merchant, muccadum, or any traveller, and he has no authority over them, nor power to inflict imprisonment on them, nor shall he demand advances from owners of loads or muccadums.

Article V.

The aforesaid Mohsin bin 'Ali binds himself that he shall not molest or oppress his relatives or Ahl Yehia, but shall give them their rights. He shall pay every one who has claims in the taxes according to their custom and give maintenance to those who are entitled to it.

Article VI.

Sultan Fadthl bin 'Ali the 'Abdali has appointed Mohsin bin 'Ali 'Mani the Haushabi Sultan over the Haushabi country, and the said Mohisn bin 'Ali undertakes to protect and make restitution of any property looted on the road leading to Lahej and *vice versâ*.

Article VII.

That Dar-al-Avad, the fields of Shaamia and Al Hur-Rakat and its lands and those who occupy them and their inhabitants and the country of Ali Amir and its population are to become the property of Sultan Fadthl bin 'Ali, Sultan of Lahej, together with all their boundaries as

compensated for his expenses, and Mohsin bin 'Ali, the Haushabi, binds himself not to accept any of them or to assist any of the aforesaid people who may rebel, and he also undertakes to Sultan Fadthl bin 'Ali to obey him whenever he is called to assist in punishing any of the above-mentioned rebels, and he (Mohsin bin 'Ali) may levy taxes on kafilas passing through the country of 'Ahl Ameri at the fixed custom-house of the Haushabi in the limits of Sultan Fadthl bin 'Ali the 'Abdali.

ARTICLE VIII.

That Mohsin bin 'Ali 'Mani, the Haushabi, and all his relatives, Ahl Fajjar and their tribes of the Haushabis, etc., are under obedience to Sultan Fadthl bin 'Ali Mohsin, the Abdali, and they offer to conform to him and to answer his summons to fight with him against any of his enemies. In the same way Sultan Fadthl bin 'Ali undertakes to Mohsin bin 'Ali to aid and assist him against any enemies who wish to molest the Haushabi country.

ARTICLE IX.

Whenever any murder or loot takes place between the 'Abdali and the Haushabi, the settlement of such is vested in Sultan Fadthl-bin 'Ali Mohsin bin 'Ali, and the elders of Ahl Fajjar.

ARTICLE X.

That Mohsin bin 'Ali, the Haushabi, has agreed that Sultan Fadthl bin 'Ali the 'Abdali receive the stipend which he gets from the British Government, and that he (the 'Abdali) pay it to Mohsin bin 'Ali, the Haushabi. Mohsin bin 'Ali undertakes for the continuation of these terms with good behaviour, and these conditions are concluded on the 22nd (twenty-second) day of Al-Hijja, one thousand three hundred and twelve.

i.e., MOHSIN BIN 'ALI 'MANI (the Haushabi Sultan).

i.e., FADTHL BIN 'ALI (Sultan of Lahej).

Witnesses—

i.e., SHAIF BIN SAIF (Amir of ad Dhali).

Mark × of SYED ALI HAMADI.

(Sd). M. S. JAFFER,
Native Assistant Resident.

At the request of the chief—signatories to this —this agreement was read over in my presence and agreed to by both and signed.

(Sd.) C. A. CUNINGHAM, *Brigadier-General,*
Political Resident.

The 6th August 1895.

No. LXV.

PROTECTORATE TREATY—HAUSHABI.

The British Government and Mohsin bin 'Ali 'Mani, the Haushabi Sultan of Musaimir-bin-'Ubaid, Ar-Raha and the Haushabi country with their dependencies, being desirous of maintaining and strengthening the relations of peace and friendship existing between them.

The British Government have named and appointed Brigadier-General Charles Alexander Cuningham, Political Resident at Aden, to conclude a treaty for this purpose.

The said Brigadier-General Charles Alexander Cuningham and Sultan Mohsin bin 'Ali 'Mani, the Haushabi aforesaid, have agreed upon and concluded the following articles:—

ARTICLE I.

The British Government in compliance with the wish of the undersigned Sultan Mohsin bin 'Ali 'Mani, the Haushabi, hereby undertakes to extend to Musaimir-bin-'Ubaid, Ar-Raha and the Haushabi country with their dependencies, which are under his authority and jurisdiction the gracious favour and protection of Her Majesty the Queen-Empress.

ARTICLE II.

The said Sultan Mohsin bin 'Ali 'Mani, the Haushabi, agrees and promises on behalf of himself, his relations, heirs, successors and the whole tribe to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or power, except with the knowledge and sanction of the British Government, and further promises to give immediate notice to the Resident at Aden or other British officer of the attempt by any other power to interfere with Musaimir-bin-'Ubaid, Ar-Raha and the Haushabi country and their dependencies.

ARTICLE. III.

The said Sultan Mohsin bin 'Ali 'Mani, the Haushabi, hereby binds himself, his relations, heirs, successors and the whole tribe for ever, that he or they will not cede, sell, mortgage, lease, hire, or give, or otherwise dispose of the Haushabi territory and its dependencies, or any part of the same at any time to any power or person other than the British Government.

ARTICLE IV.

The above treaty shall have effect from this date. In witness whereof

the undersigned have affixed their signatures or seals at Aden this sixth day of August, one thousand eight hundred and ninety-five, A.D.

(Sd.) C. A. CUNINGHAM, *Brigadier General,*
Political Resident, Aden.

Witness—

(Sd.) W. B. FERRIS, *Major,*
First Assistant, Political Resident.

I, Fadthl bin 'Ali Mohsin Fadthl al 'Abdali, Sultan of Lahej, certify that Mohsin bin 'Ali 'Mani, the Haushabi Sultan, enters into this treaty under my auspices and signs it with my full knowledge and consent.

(Sd.) FADTHL BIN 'ALI MOHSIN,
Sultan of Lahej.

(Sd.) ELGIN,
Viceroy and Governor-General of India.

This treaty was ratified by the Viceroy and Governor-General of India in Council at Simla on the 20th day of October, A.D., one thousand eight hundred and ninety-five.

(Sd.) W. J. CUNINGHAM,
Secretary to the Government of India,
Foreign Department.

No. LXVI.

PROTECTORATE TREATY—ALAWI.

The British Government and Shaif bin Said, the Alawi Shaikh of Al Kasha and the Alawi country with their dependencies, being desirous of maintaining and strengthening the relations of peace and friendship existing between them.

The British Government have named and appointed Brigadier General Charles Alexander Cuningham, Political Resident at Aden, to conclude a treaty for this purpose.

The said Brigadier-General Charles Alexander Cuningham and Shaikh Shaif bin Said, the Alawi aforesaid, have agreed upon and concluded the following articles:—

ARTICLE I.

The British Government in compliance with the wish of the undersigned Shaikh Shaif bin Said, the Alawi, hereby undertakes to extend to

Al Kasha and the Alawi country with their dependencies, which are under his authority and jurisdiction, the gracious favour and protection of Her Majesty the Queen-Empress.

ARTICLE II.

The said Shaikh Shaif bin Said, the Alawi, agrees and promises on behalf of himself, his relations, heirs, successors, and the whole tribe to refrain from entering into any correspondence, agreement or treaty, with any foreign nation or power, except with the knowledge and sanction of the British Governwent, and further promises tc give immediate notice to the Resident at Aden or other British officer of the attempt by any other Power to interfere with Al Kasha and the Alawi country and their dependencies.

ARTICLE III.

The said Shaikh Shaif bin Said, the Alawi, hereby binds himself, his relations, heirs, successors, and the whole tribe for ever, that he or they will not cede, sell, mortgage, lease, hire or give or otherwise dispose of the Alawi territory and its dependencies or any part of the same at any time, to any Power, or persons other than the British Government.

ARTICLE IV.

The above treaty shall have effect from this date. In witness whereof the undersigned have affixed their signatures or seals at Aden this sixteenth day of July one thousand eight hundred and ninety-five, A.D.

(Sd). C. A. CUNINGHAM,
Brigadier-General,
Political Resident, Aden.

Witness: (Sd.) W. B. FERRIS, *Major,*
First Assistant Resident.

(Sd.) ELGIN,
Viceroy and Governor-General of India.

This treaty was ratified by the Viceroy and Governor General of India in Council at Simla, on the 20th day of October A. D., one thousand eight hundred and ninety-five.

(Sd.) W. J. CUNINGHAM,
Secretary to the Government of India,
Foreign Department.

No. LXVII.

TRANSLATION of an AGREEMENT signed by AMIR ALI MOKBIL, of DTHALI (ZHALI), on the 2nd October 1880 and ratified by HIS EXCELLENCY the VICEROY and GOVERNOR-GENERAL OF INDIA on the 1st May 1881.

I, Amir Ali Mokbil of Zhali, of my own free will and accord, agree and bind myself, my heirs and successors, to keep peace and friendship in perpetuity with the Great British Government, to keep all the roads leading through my territory to Aden safe and undisturbed, to protect the poor and the weak on the same, and to be answerable for any outrage or wrong-doings committed by the tribes Rudfan and Halimein and all the tribes subject to me. I will do all in my power to preserve safety on the road to my utmost ability. In consideration of the above, a sum of $50 (fifty) to be paid to me by the great English Government annually, half of which, *viz.*, $ 25 (twenty-five) to be paid every six months, and this payment to be continued from generation to generation. If I, my children, relations, Sheikh or elders, proceed to and from Aden, they should be respected and treated according to their position and dignity. God is the best witness.

Dated Aden, 2nd October 1880, corresponding to 27th Shawal 1297.

(Sd.) ALI Seal. MOKBIL.

(Sd.) G. L. GOODFELLOW,
Acting Political Resident.

No. LXVIII.

TREATY WITH THE AMIR OF D'THALA.

The British Government and the Amir Shaif bin Sef bin Abdul Hadi bin Hasan, the ruler of D'thala, and all its dependencies, having determined to firmly establish the relations of peace and friendship so long existing between them.

The British Government have named and appointed Major-General Henry Macan Mason, Political Resident at Aden, to conclude a Treaty for this purpose.

The said Major-General Henry Macan Mason, and the Amir Shaif bin Sef bin Abdul Hadi bin Hasan aforesaid, have agreed upon and concluded the following Articles:—

I.

There shall be peace and friendship between the British Government and all the tribesmen, subjects and dependents of the Amir of D'thala. The subjects of the British, and the people of D'thala and its dependencies, shall be free to enter the territories of the other; they shall not be molested, but shall be treated with respect at all times and at all places. The said Amir of D'thala and other notable persons shall visit Aden when they please. They shall be treated with respect and be given passes to carry arms.

II.

In compliance with the wish of the aforesaid Amir Shaif bin Sef bin Abdul Hadi bin Hasan, the British Government hereby undertake to extend to the territory of D'thala and all its dependencies the gracious favour and protection of His Majesty the King-Emperor.

III.

The said Amir Shif bin Sef bin Abdul Hadi bin Hasan hereby agrees, and promises on behalf of himself, his heirs and successors, and the whole of the tribesmen, subjects and dependents, under his jurisdiction, to refrain from entering into any correspondence, agreement or treaty with any foreign nation or Power; and further promises to give immediate notice to the Resident at Aden, or other British officer, of any attempt, by any other power, to interfere with the territory of D'thala or any of its dependencies.

IV.

The said Amir Shaif bin Sef bin Abdul Hadi bin Hasan hereby binds himself, and his heirs and successors, for ever, that they will not cede, sell, mortgage, lease, hire, or give, or otherwise dispose of, the territory of D'thala, and its dependencies, or any other part of the same, at any time to any power other than the British Government.

V.

The said Amir Shaif bin Sef bin Abdul Hadi bin Hasan further promises on behalf of himself, his heirs and successors, and all his tribesmen, subjects and dependents, that he will keep open the roads in the territory of D'thala, and its dependencies, and that they will protect all persons who may be going in the direction of Aden for the purposes of trade, or returning therefrom.

VI.

The said Amir Shaif bin Sef bin Abdul Hadi bin Hasan also engages on behalf of himself, his heirs and successors, and all his tribesmen, subjects and dependents to maintain the boundary which has been demarcated by the joint British and Turkish Commission, and to protect the boundary pillars.

VII.

Further the said Amir Shaif bin Sef bin Abdul Hadi bin Hasan undertakes, on behalf of himself, his heirs and successors, to maintain order within the boundary of the territories of D'thala and its dependencies, and to restrain his tribesmen, subjects and dependents from creating disturbances either in his own territory, or in the country beyond the boundary line, and from interfering with the tribes who are subjects of the Turkish Government.

VIII.

In consideration of these undertakings and engagements the British Government agree to pay to the said Amir Shaif bin Sef bin Abdul Hadi bin Hasan, and to his successor, or successors, a monthly sum of one hundred (100) dollars, the half of which is fifty (50) dollars.

IX.

To assist him in carrying out the obligations imposed by this Treaty the said Amir, on behalf of himself and his successors, engages to maintain a force of 50 men, or such less number as the Resident may agree to. So long as this force is maintained in a state of efficiency to the satisfaction of the Resident, the British Government agree to pay to the said Amir Shaif bin Sef bin Abdul Hadi bin Hasan, and to his successor or successors, a monthly sum of one hundred (100) dollars, the half of which is fifty (50) dollars, this subsidy to be in addition to that mentioned in Article VIII.

X.

The above Treaty shall have effect from this date. In witness thereof the undersigned have affixed their signatures or seals at Aden this twenty-eighth day of November one thousand nine hundred and four.

H. M. MASON, *Major-General,*
Resident in Aden.

Witnesses:—
J. DAVIS, *Lieut.-Colonel,*
First Assistant Resident in Aden.
ALI JAFFAR,
Head Interpreter.

CURZON,
Viceroy and Governor-General of India.

This Treaty was ratified by the Viceroy and Governor-General of India in Council at Fort William on the 8th day of February A.D., one thousand nine hundred and five.

S. M. FRASER,

Officiating Secretary to the Government of India in the Foreign Department.

No. LXIX.

PROTECTORATE TREATY with the WAHIDI SULTAN of BIR ALI—1888.

The British Government and Mohsin bin Saleh bin Mohsin, Saleh bin Ahmed bin Saleh, Abdalla bin Ahmed bin Saleh, Nasir bin Husain bin Mohsin, Bubakr bin Husain bin Mohsin, Saleh bin Abdalla bin Saleh bin Mohsin, Ali bin Abdalla bin Saleh bin Mohsin, and Nasir bin Talib bin Hadi, Sultans of the Wahidi tribe, being desirous of maintaining and strengthening the relations of peace and friendship existing between them:

The British Government have named and appointed Brigadier-General Adam George Forbes Hogg, C.B., Political Resident at Aden, to conclude a treaty for this purpose.

The said Brigadier-General Adam George Forbes Hogg, C.B., and Mohsin bin Saleh bin Mohsin, Saleh bin Ahmed bin Saleh, Abdalla bin Ahmed bin Saleh, Nasir bin Husain bin Mohsin, Bubakr bin Husain bin Mohsin, Saleh bin Abdalla bin Saleh bin Mohsin, Ali bin Abdalla bin Saleh bin Moshin, and Nasir bin Talib bin Hadi, aforesaid, have agreed upon and concluded the following articles:—

ARTICLE 1.

The British Government, in compliance with the wish of the undersigned, Mohsin bin Saleh bin Mohsin, Saleh bin Ahmed bin Saleh, Abdalla bin Amed bin Saleh, Nasir bin Husain bin Mohsin, Bubakr bin Hosain bin Mohsin, Saleh bin Abdalla bin Saleh bin Mohsin, Ali bin Abdalla bin Saleh bin Mohsin, and Nasir bin Talib bin Hadi, Sultans of the Wahidi tribe, hereby undertakes to extend to Bir Ali and its dependencies, which are under their authority and jurisdiction, the gracious favour and protection of Her Majesty the Queen-Empress.

ARTICLE 2.

The said Mohsin bin Saleh bin Mohsin, Saleh bin Ahmed bin Saleh, Abdalla bin Ahmed bin Saleh, Nasir bin Husain bin Mohsin Bobakr bin

Husain bin Mohsin, Saleh bin Abdalla bin Saleh bin Mohsin, Ali bin Abdalla bin Saleh bin Mohsin, and Nasir bin Talif bin Hadi, agree and promise on behalf of themselves and their heirs and successors to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or power, except with the knowledge and sanction of the British Government; and further promise to give immediate notice to the Resident at Aden, or other British officer, of the attempt by any other power to interfere with Bir Ali and its dependencies.

ARTICLE 3.

The above Treaty shall have effect from this date. In witness whereof the undersigned have affixed their signatures or seals at Bir Ali this thirtieth day of April one thousand eight hundred and eighty-eight.

(Sd.) A. G. F. HOGG, *Brigadier General,*
Political Resident, Aden.

Witness:

C. E. GISSING, *Commander, R.N.,*
Her Majesty's "Osprey."

(Sd.) MOHSIN BIN SALBH.
„ SALBH BIN AHMED.
„ ABDALLA BIN AHMED.
„ NASIR BIN HUSAIN.

MARK OF BUBAKR HUSAIN.

(Sd.) SALBH BIN ABDALLA.
„ ALI BIN ABDALLA.
„ NASIR BIN TALIB.

Witness:

M. S. JAFFER,
Native Assistant Resident, Aden.

(Sd.) LANSDOWNE,
Viceroy and Governor-General of India.

This Treaty was ratified by the Viceroy and Governor-General of India in Council at Fort William on the 26th day of February A.D. one thousand eight hundred and ninety.

(Sd.) W. J. CUNINGHAM,
Offg. Secy. to the Govt. of India, Foreign Department.

No. LXX.

PROTECTORATE TREATY with the WAHIDI SULTAN of BALAHAF—1888.

The British Government and Hadi bin Saleh bin Nasir bin Abdalla bin Ahmed bin Hadi, on behalf of himself and his brothers Nasir bin Saleh Ahmed bin Saleh Mohsin bin Saleh, Husain bin Saleh, and Hason bin Saleh, and Saleh bin Abdalla bin Ahmed bin Nasir bin Abdalla bin Ahmed bin Had on behalf of himsslf and his brothers Ahmed bin Ali and Bubakr bin Nasir, Chiefs of the Wahidi tribe, being desirous of maintaining and strengthening the relations of peace and friendship existing between them:

The British Government have named and appointed Brigadier-General Adam George Forbes Hogg, C.B., Political Resident at Aden, to conclude a treaty for this purpose.

The said Brigadier-General Adam George Forbes Hogg, C.B., and Hadi bin Saleh bin Nasir bin Abdalla bin Ahmed bin Hadi, on behalf of himself and his brothers Nasir bin Saleh, Ahmed bin Saleh, Mohsin bin Saleh, Husain bin Saleh and Hason bin Saleh; and Saleh bin Abdalla bin Ahmed bin Nasir bin Abdalla bin Ahmed bin Nasir bin Abdalla bin Ahmed bin Hadi on behalf of himself and his brothers Ahmed bin Ali and Bubakr bin Nasir, aforesaid, have agreed upon and concluded the following Articles:—

ARTICLE 1.

The British Government, in compliance with the wish of the undersigned, Hadi bin Saleh bin Nasir bin Abdalla bin Ahmed bin Hadi, on behalf of himself and his brothers Nasir Bin Saleh, Ahmed bin Saleh, Mohsin bin Saleh, Husain bin Saleh, and Hason bin Saleh, and Saleh bin Abdalla bin Ahmed bin Nasir bin Abdalla bin Ahmed bin Hadi on behalf of himself and his brothers Ahmed bin Ali and Bubakr bin Nasir, Chiefs of the Wahidi, hereby undertakes to extend to Balahaf and its dependencies, which are under their authority and jurisdiction, the gracious favour and protection of Her Majesty the Queen-Empress.

ARTICLE 2.

The said Hadi bin Saleh bin Nasir bin Abdalla bin Ahmed bin Hadi on behalf of himself and his brothers Nasir bin Saleh, Ahmed bin Saleh, Mohsin bin Saleh, Husain bin Saleh, and Hason bin Saleh, and Saleh bin Abdalla bin Ahmed bin Nasir bin Abdalla bin Ahmed bin Hadi on behalf of himself and his brothers Ahmed bin Ali and Bubakr bin Nasir, agree and promise, on behalf of themselves, their heirs and successors, to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or power except with the knowledge and sanction of the British Government; and further promise to give immediate notice to the Resident

at Aden, or other British officer, of the attempt by any other power to interfere with Balahaf and its dependencies.

ARTICLE 3.

The above Treaty shall have effect from this date. In witness whereof the undersigned have affixed their signatures or seals at Bunder Balahaf this thirtieth day of April one thousand eight hundred and eighty-eight.

(Sd.) A. G. F. HOGG, *Brigadier-General,*
Political Resident, Aden.

WITNESS:

C. E. GISSING, *Commander, R.N.,*
Her Majesty's "Osprey."

(Sd.) HADI BIN SALEH.
,, SALEH BIN ABDULLA.

WITNESS:

(Sd.) M. S. JAFFER,
Native Assistant Resident, Aden.

(Sd.) LANSDOWNE,
Viceroy and Governor-General of India.

This Treaty was ratified by the Viceroy and Governor-General of India in Council at Fort William on the 26th day of February A.D. one thousand eight hundred and ninety.

(Sd.) W. J. CUNINGHAM,
Officiating Secretary to the Government of India,
Foreign Department.

No. LXXI.

PROTECTORATE TREATY—WAHIDI (BÁLAHÁF).

The British Government and

(1) Sáleh bin 'Abdalla bin Ahmed bin Násir bin 'Abdalla bin Ahmed bin Hádí,

(2) His cousin Ahmed bin 'Alí,

(3) His nephew Bubakr bin Násir,

(4) Ahmed bin Sáleh bin Násir bin 'Abdalla bin Ahmed bin Hádí, on behalf of himself and his brother Násir bin Sáleh, and

(5) Husain bin Sáleh bin Násir bin 'Abdalla bin Ahmed bin Hádí, chiefs of the Wahidi tribe, being desirous of maintaining and strengthening the relations of peace and friendship existing between them,

The British Government have named and appointed Brigadier-General John Jopp, C.B., A.D.C., Political Resident at Aden, to conclude a treaty for this purpose.

The said Brigadier-General John Jopp, C.B., A.D.C., and Sáleh bin 'Abdalla bin Ahmed bin Násir bin 'Abdalla bin Ahmed bin Hádí, his cousin Ahmed bin 'Ali, his nephew Bubakr bin Násir, Ahmed bin Sáleh bin Násir bin 'Abdalla bin Ahmed bin Hádí, on behalf of himself and his brother Násir bin Sáleh, and Husain bin Sáleh bin Násir bin 'Abdalla bin Ahmed bin Hádí aforesaid, have agreed upon and concluded the following articles:—

ARTICLE I.

The British Government in compliance with the wish of the undersigned Sáleh bin 'Abdalla bin Ahmed bin Nasir bin 'Abdalla bin Ahmed bin Hádí, his cousin Ahmed bin 'Ali, his nephew Bubakr bin Násir, Ahmed bin Sáleh bin Násir bin 'Abdalla bin Ahmed bin Hádí, on behalf of himself and his brother Násir bin Sáleh, and Husain bin Sáleh bin Násir bin 'Abdalla bin Ahmed bin Hádí, chiefs of the Wahidi, hereby undertakes to extend to Bálaháf and its dependencies which are under their authority and jurisdiction the gracious favour and protection of Her Majesty the Queen-Empress.

ARTICLE II.

The said Sáleh bin 'Abdalla bin Ahmed bin Násir bin 'Abdalla bin Ahmed bin Hádi, his cousin, Ahmed bin 'Ali, his nephew Bubakr bin Násir, Ahmed bin Sáleh bin Násir bin 'Abdalla bin Ahmed bin Hádí, on behalf of himself and his brother Násir bin Sáleh, and Husain bin Sáleh bin Násir bin 'Abdalla bin Ahmed bin Hádí, agree and promise on behalf of themselves, their relations, heirs, successors and the whole tribe to refrain from entering into any correspondence, agreement or treaty with any foreign nation, power or person except with the knowledge and sanction of the British Government, and further promise to give immediate notice to the Resident at Aden or other British officer of the attempt by any other power to interfere with Bálaháf and its dependencies.

ARTICLE III.

The aforesaid chiefs of the Wahidi bind themselves, their relations, heirs, successors and the whole tribe for ever that they will not cede, sell, mortgage, lease, hire, or give or otherwise dispose of the territory of Bálaháf and its dependencies or any part of the same at any time to any foreign power or person other than the British Government.

ARTICLE IV.

The above treaty shall have effect from this date. In witness whereof the undersigned have affixed their signatures or seals at Aden, this fifteenth day of March one thousand eight hundred and ninety-five.

JOHN JOPP, *Brigadier-General,*
Political Resident, Aden.

WITNESS:

C. W. H. SEALY, *Lieutenant-Colonel,*
First Assistant Political Resident, Aden.

i. e., SULTAN SÁLEH BIN 'ABDALLA.

i. e., AHMED BIN SÁLEH.

i. e., AHMED BIN 'ALI.

i. e., BUBAKR BIN NÁSIR

i. e., HUSAIN BIN SÁLEH.

WITNESSES:

i. e., SYED 'UMAR BIN MOHAMMED MOHDTHAR
(*Mansab of Habbán*).

i. e., SHAIKH MOHAMMED BIN ABD-UR-RAHMAN BA KADR,
(*Mansab of as-Sáid.*)

i. e., SHAIKH MAHDI BIN 'ABDALLA BA BORAISH.

i. e., SHAIKH 'ABDALLA BIN AHMED BA FAKIR.

M. S. JAFFER,
Native Assistant Resident, Aden.

(Sd.) ELGIN,
Viceroy and Governor-General of India.

This treaty was ratified by the Viceroy and Governor-General of India in Council at Simla, on the 10th day of June, A. D. one thousand eight hundred and ninety-five.

(Sd.) W. J. CUNINGHAM,
Secretary to the Government of India,
Foreign Department.

No. LXXII.

Protectorate Treaty Wahidi (Bir Ali).

The British Government and Salih bin Ahmed bin Salih bin Munef; his brother Abdulla bin Ahmed bin Salih bin Munef; his cousin Salih bin Abdulla bin Salih bin Mohsin; his cousin Ali bin Abdulla bin Salih bin Mohsin; his cousin Bubakr bin Hussain bin Mohsin on behalf of himself and his two cousins, namely, Munef bin Nasir bin Husain and Nasir bin Nasir bin Husain; his cousin Nasir bin Mohsin bin Salih bin Mohsin on behalf of himself and his brothers Salih bin Mohsin and Husain bin Mohsin and his cousin Nasir bin Talib bin Hadi, Chiefs of the Wahidi Tribe, being desirous of maintaining and strengthening the relations of peace and friendship existing between them:

The British Government have named and appointed Lieutenant-Colonel William Butler Ferris, Acting Political Resident at Aden, to conclude a treaty for this purpose.

The said Lieutenant-Colonel William Butler Ferris and Salih bin Ahmed bin Salim bin Munef; his brother Abdulla bin Ahmed bin Salih bin Munef; his cousin Salih bin Abdulla bin Salih bin Mohsin; his cousin Ali bin Abdulla bin Salih bin Mohsin; his cousin Bubakar bin Husain bin Mohsin on behalf of himself and his two cousins, namely, Munef bin Nasir bin Husain and Nasir bin Nasir bin Husain; his cousin Nasir bin Mohsin bin Salih bin Mohsin on behalf of himself and his brothers Salih bin Mohsin and Husain bin Mohsin; and his cousin Nasir bin Talib bin Hadi aforesaid, have agreed upon and concluded the following articles:—

Article I.

The British Government, in compliance with the wish of the undersigned Salih bin Ahmed bin Salih bin Munef; his brother Abdulla bin Ahmed bin Salih bin Munef; his cousin Salih bin Abdulla bin Salih bin Mohsin; his cousin Ali bin Abdulla bin Salih bin Mohsin; his cousin Bubakar bin Husain bin Mohsin on behalf of himself and his two cousins, namely, Munef bin Nasir bin Husain and Nasir bin Nasir bin Husain; his cousin Nasir bin Mohsin bin Salih bin Mohsin on behalf of himself and his brothers Salih bin Mohsin and Husain bin Mohsin; and his cousin Nasir bin Talib bin Hadi, Chiefs of the Wahidi Tribe, hereby undertakes to extend to Bir Ali and its dependencies which are under their authority and jurisdiction the gracious favour and protection of Her Majesty the Queen-Empress.

Article II.

The said Salih bin Ahmed bin Salih bin Munef; his brother Abdulla bin Ahmed bin Salih bin Munef; his cousin Salih bin Abdulla bin Salih bin Mohsin; his cousin Ali bin Abdulla bin Salih bin Mohsin; his cousin Bubakar bin Husain bin Mohsin on behalf of himself and his two cousins,

namely, Munef bin Nasir bin Husain and Nasir bin Nasir bin Husain; his cousin Nasir bin Mohsin bin Salih bin Husain on behalf of himself and his brothers Salih bin Mohsin and Husain bin Mohsin; and his cousin Nasir bin Talib bin Hadi agree and promise on behalf of themselves, their relations, heirs, successors and the whole tribe to refrain from entering into any correspondence, agreement or treaty with any foreign nation, power, or person, except with the knowledge and sanction of the British Government, and further promise to give immediate notice to the Resident at Aden or other British officer of the attempt by any other Power to interfere with Bir Ali and its dependencies.

ARTICLE III.

The aforesaid Chiefs of the Wahidi bind themselves, their relations, heirs, successors, and the whole tribe for ever, that they will not cede, sell, mortgage, lease, hire, or give, or otherwise dispose, of the territory of Bir Ali and its dependencies or any part of the same at any time to any Foreign Power or person other than the British Government.

ARTICLE IV.

The above Treaty shall have effect from this date.

In witness whereof the undersigned have affixed their signatures or seals at Aden this first day of June one thousand eight hundred and ninety-six.

(Sd.) W. B. FERRIS, *Lieutenant-Colonel,*
Acting Political Resident,
Aden.

WITNESS.

(Sd.) J. A. RUSTOMJEE,
Acting 6th Assistant Resident,
Aden.

(Sd.) ELGIN,
Viceroy and Governor-General of India.

This treaty was ratified by the Viceroy and Governor-General of India in Council at Simla, on the 29th day of July, A. D. one thousand eight hundred and ninety-six.

(Sd.) H. S. BARNES,
Officiating Secretary to the Government of India,
Foreign Department.

LXXIII.

ENGAGEMENT entered into by the NUKEEB of MACULLA for the ABOLITION of the SLAVE TRADE—1863.

In the NAME of the MOST MERCIFUL GOD, and HIM we implore!

The reason of writing this Bond is that, influenced by motives of humanity and by a desire to conform to the principles on which the great English Government is conducted, we lend a willing ear to the proposals of our sincere friend, Brigadier William Marcus Coghlan, Governor of Aden; that we shall covenant with him to abolish and prohibit the export or import of slaves from or to any part of our territory to any other place in Africa or in Asia, or elsewhere.

Therefore I, whose name and seal are set to this Bond, do in the sight of God and of men solemnly proclaim my determination to prohibit the export or import of slaves by every means in my power. I will neither export nor import any myself, nor will I permit any subjects to do so; and any vessel belonging to my subjects found carrying slaves shall be seized and confiscated by me or by any ship belonging to Her Majesty the Queen of England, and the slaves shall be released. Peace!

This covenant is to have effect at the expiration of one year from this date. Peace!

(Sd.) SILAH MAHOMED.

„ W. M. COGHLAN,
Political Resident, Aden.

At Maculla, 14th May 1863.

Witnesses:

(Sd.) OMAR BA SALIM KAISAN.

„ H. RASSAM,
Assistant Political Resident.

Dated 25th Zhee Alkada 1279.

A precisely similar engagement was concluded on the same date with Ali bin Nujee, the Nukeeb of Shehr.

Approved and ratified by the Viceroy and Governor-General on 29th June 1863.

NO. LXXIV.

ENGAGEMENT entered into by the NUKEEB of MACULLA for the ABOLITION of the SLAVE TRADE in his DOMINIONS, signed at Maculla—7th April 1873.

Whereas under date 14th May 1863 A.D. (25th Dhil-kaada 1279 A.H.) a solemn Agreement was entered into by me, Silah bin Mahomed, Nukeeb of Maculla, with Brigadier William Marcus Coghlan, covenanting to abolish and prohibit the export or import of slaves from or to any part of my territory, from or to any other place whether in Africa or in Asia or elsewhere; And whereas His Excellency Sir Henry Bartle Edward Frere, G.C.S.I., K.C.B., Her Britannic Majesty's Special Envoy, has now impressed on me the advantages of adhering in perpetuity to the terms of the said Agreement: Therefore and accordingly, I, Silah bin Mahomed, Nukeeb of Maculla aforesaid, on behalf of myself, my heirs and successors, do hereby solemnly confirm and engage to be bound by the terms of the aforesaid Agreement of 14th May 1863.

Done at Maculla this seventh day of the month of April in the year of our Lord one thousand eight hundred and seventy-three.

(Sd.) H. B. E. FRERE, *Special Envoy.*

„ SILAH MAHOMED.

Witnesses:

(Sd.) LEWIS PELLY, *Colonel,*
Poltl. Resdt. in the Persian Gulf.

(Sd.) C. B. EUAN SMITH, *Major,*
Private Secy. to Sir B. Frere.

LXXV.

ENGAGEMENT executed by the JEMADAR OF SHEHR for the ABOLITION of the IMPORT or EXPORT of SLAVES to and from the port of SHEHR and its DEPENDENCIES—1873.

This seventeenth day of November A.D. 1873, answering to the twenty-sixth day of Ramadhan A.H. 1290, I, Abdullah bin Omar Al Kayatee, Ruler of Shehr, engage with the great English Government to

abolish and prohibit the import and export of slaves to or from the port of Shehr and all the dependencies thereof from or to any other place in Africa or Asia or elsewhere; and whereas His Excellency Sir Henry Bartle Edward Frere, G.C.S.I., K.C.B., Her Britannic Majesty's Special Envoy, has impressed upon me the advantage of adhering in perpetuity to the terms of the agreement entered into by Ali bin Najee, Nukeeb of Shehr, with Brigadier William Marcus Coghlan, on the 14th day of May A.D. 1863, answering to the twenty-fifth day of Dhil Kaada A.H. 1279 thereof, I and my brothers, Awadh and Saleh, on behalf of ourselves, our heirs and successors, do hereby solemnly confirm and engage to be bound by the terms of that Agreement.

(Sd.) ABDOOLA BIN OMAR AL KAYATEE.
AWUZ BIN OMAR AL KAYATEE.
SULTAN NOOR AHMED BAHADUR.
} (in Arabic).

(Sd.) W. F. PRIDEAUX, *Asstt. Resident, Aden.*

(Sd.) J. W. SCHNEIDER, *Brigr.-Genl., Poltl. Resident at Aden.*

Seal.

(Sd.) NORTHBROOK.

Ratified by His Excellency the Viceroy and Governor General of India, at Calcutta, on the eleventh day of February 1874.

(Sd.) C. U. AITCHISON,
Secy. to the Govt. of India, Foreign Dept.

LXXVI.

AGREEMENT entered into between the BRITISH GOVERNMENT, represented by BRIGADIER-GENERAL JAMES BLAIR, V.C., POLITICAL RESIDENT at ADEN, on the one part, and ABDALLA BIN UMAR BIN AWADTH AL-KAYTI, on behalf of himself and his brother AWADTH BIN UMAR, on the other part—1882.

Whereas by means of assistance afforded to him by the British Government, Abdalla bin Umar bin Awadth al-Kayti and Awadth bin Umar,

his brother, were enabled in the month of October one thousand eight hundred and eighty-one to take possession of the ports of Burum and Mokalla and of the territory occupied by the Nakib Umar bin Salah al-Kasadi; and whereas other favours have from time to time been shown them by the British Government; and whereas the British Government has agreed to pay the said Abdalla bin Umar and his brother Awadth bin Umar, their heirs and successors, the annual sum of $360 (three hundred and sixty dollars).

ARTICLE 1.

Now these presents witness that the parties hereto mutually undertake and agree with each other in manner following (that is to say) :—

The said Abdalla bin Umar bin Awadth al-Kayti binds himself and his brother, and his and their heirs and successors not to sell or mortgage or otherwise dispose of his possessions of Shihr, Mokalla, Burum and the territories thereto appertaining on the Hadthramut Coast of Arabia, or any part of such possessions and territories to any person or power other than the British Government, nor to pay allegiance to, or own the superiority of, any such power without the express consent of the British Government.

ARTICLE 2.

As the territories formerly possessed by the Nakib Omar bin Salah al-Kasadi at Mokalla have passed into the hands of the said Abdalla bin Umar bin Awadth al-Kayti, and as the said Abdalla bin Umar bin Awadth al-Kayti has paid over $100,000 (one hundred thousand dollars) to the British Political Resident at Aden for the maintenance of the said Nakib Umar bin Salah al-Kasadi, the said sum shall be expended at the discretion of the Resident at Aden in behalf of the said Nakib Umar bin Salah al-Kasadi.

ARTICLE 3.

Abdalla bin Umar bin Awadth al-Kayti, on behalf of himself and his brother Awadth bin Umar and his and their heirs and successors, agrees to abide by the advice, and to conform to the wishes, of the British Government in all matters relating to his dealings with the neighbouring Chiefs and with foreign powers.

ARTICLE 4.

So long as Abdalla bin Umar bin Awadth al-Kayti and his said brother, their heirs and successors, continue to fulfil the stipulations hereinbefore contained, the British Government shall pay to the said Abdalla bin Umar and his said brother, their heirs and successors, the annual sum of three hundred and sixty dollars, the first of such payments to be made on the first day of April next.

Done at Mokalla this twenty-ninth day of May one thousand eight hundred and eighty-two, corresponding to the twelfth day of Rajab one thousand two hundred and ninety-nine of the Hijra.

(Signed in Arabic.)

ABDALLA BIN UMAR BIN AWADTH BIN ABDALLA AL-KAYTI,
Jamadar of Mokalla and Shihr.

(Sd.) JAMES BLAIR,
Political Resident, Aden.

Witness:
(Sd.) C. W. H. SEALY.

Witness:
(Sd.) SALEH MAHOMED.

Seal.

(Sd.) RIPON,
Viceroy and Governor-General of India.

This Agreement was ratified by His Excellency the Viceroy and Governor-General of India at Simla on the twenty-sixth day of July A. D. one thousand eight hundred and eighty-two.

(Sd.) C. GRANT,
Secretary to the Government of India,
Foreign Department.

No. LXXVII.

PROTECTORATE TREATY with JAMADAR ABDULLA BIN UMAR and AWADTH BIN UMAR—1888.

The British Government and 'Abdalla bin 'Umar bin 'Awadth al-Ka'yti, on behalf of himself and his brother 'Awadth bin 'Umar al-Ka'yti, being desirous of maintaining and strengthening the relations of peace and friendship existing between them—

The British Government have named and appointed Brigadier-General Adam George Forbes Hogg, C.B., Political Resident at Aden to conclude a treaty for this purpose.

The said Brigadier-General Adam George Forbes Hogg, C.B., and 'Abdalla bin 'Umar bin 'Awadth al-Ka'yti, on behalf of himself and his brother 'Awadth bin 'Umar al-Ka'yti, aforesaid, have agreed upon and concluded the following Articles:—

ARTICLE 1.

The British Government, in compliance with the wish of the undersigned, 'Abdalla bin 'Umar bin 'Awadth al-Ka'yti on behalf of himself and his brother 'Awadth bin 'Umar al-Ka'yti, hereby undertakes to extend to Mokalla and Shihr and their dependencies, which are under their authority and jurisdiction, the gracious favour and protection of Her Majesty the Queen-Empress.

ARTICLE 2.

The said 'Abdalla bin Umar bin 'Awadth al-Ka'yti agrees and promises, on behalf of himself and his brother 'Awadth bin 'Umar al-Ka'yti, and their heirs and successors, to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or power, except with the knowledge and sanction of the British Government; and further promises to give immediate notice to the Resident at Aden, or other British officer, of the attempt by any other power to interfere with Mokalla and Shihr and their dependencies.

ARTICLE 3.

The above Treaty shall have effect from this date. In witness whereof the undersigned have affixed their signatures or seals at Shihr this first day of May one thousand eight hundred and eighty-eight.

(Sd.) 'ABDULLA BIN 'UMAR BIN 'AWADTH BIN
(in Arabic.) 'ABDULLA AL-KA'YTI.

(Sd.) A. G. J. HOGG, *Brigadier-General,*
Political Resident.

Witness:
M. S. JAFFER,
Native Assistant Resident.

Witness.
C. E. GISSING, *Commandar, R. N.,*
Her Majesty's "Osprey."

(Sd.) LANSDOWNE,
Viceroy and Governor-General of India.

This Treaty was ratified by the Viceroy and Governor-General of India in Council at Fort William on the 26th day of February A.D. one thousand eight hundred and ninety.

(Sd.) W. J. CUNINGHAM,
Officiating Secretary to the Government of India,
Foreign Department.

No. LXXVIII.

Treaty concluded with the Imam of Senaa on 15th January 1821.

In explanation of the Articles which were settled between the Umeer Futtuh-oola, the Agent for the Imam Mehdi, the Chief of Senaa, the City of Sam, and between the Agent of the English Government, Agha Mr. Bruce Khan, in the year 1236, and from the birth of Jesus 1821:—

English Version.

ARTICLE 1.

That the Resident shall have a guard of the same strength as is allowed at Bagdad, Bussorah, and Bushire, of thirty men, to support his respectability.

(Sd.) WM. BRUCE,
Govt. Agent.

ARTICLE. 2.

That the Resident shall be exempt from all compliances degrading to the character of the representative of the British Government; that he shall have full liberty to ride on horseback when and where he pleases; have free ingress and egress to all the gates of Mokha, amongst others of Sheikh Shadelley, from which Europeans have hitherto been excluded for some years past; and shall have all the same liberty and freedom they have at Bushire, Bussorah, Bagdad, and Muscat.

(Sd.) WM. BRUCE,
Govt. Agent.

Translation of the Arabic Counterpart.

ARTICLE 1.

That the Resident (Vakeel) who may be stationed on the part of the English Government at the port of Mokha shall have with him (*lit.* there shall be with him) thirty military from out of their army, like the Residents (Vakeels) at Busrah, Bagdad, and Ubooshuhur (Busheer).

It is finished besides this.

Signed by six witnesses.

ARTICLE 2.

That the Resident (Vakeel) who may be stationed in the factory on the part of the British Government shall have (*lit.* there shall be to him) respect, attention, dignity and character near the Governor; and those who are dependants of the BritishGovernment may ride on horse, etc., and they may ride in any other mode as they may feel inclined. He may go out of the cities and into the cities for pleasure, refreshing his spirits; and he may go out through the whole of the gates, especially out of the Shadullee. He may go out mounted on horses, etc., and he may enter mounted, being independent in his own mind (meaning as he pleases.) It is necessary that there

ARTICLE 3.

A piece of ground to be allotted for a cemetery ; and none of those under the British Government and flag to be spoken to or insulted on account of their religion.

(Sd.) WM. BRUCE,
Govt. Agent.

shall not be any to hinder him, nor any person shall say a word to him; and to him (there shall be) respect as at the other ports, Bagdad, Busrah, Ubooshuhur, and the port of Muscat.

It is finished besides this.

Signed by the six Members of the Mokha Council.

ARTICLE 3.

The dead of the English, that the Almighty and Supreme God orders their souls to be snatched away, there shall be a place appointed and set apart from them that they may bury their dead in it; no one shall say to them, "the practice of your 'sect is such or such;' it is not good."

It is finished besides this.

Signed by the six Members.

ARTICLE 4.

The Resident to have free permission to proceed to Senaa and communicate with His Highness the Imam whenever he may deem it necessary to do so, the Dola on these occasions furnishing a guard or escort if it should be deemed requisite.

(Sd.) WM. BRUCE,
Govt. Agent.

ARTICLE 4.

The Agent (Vakeel) of the English Government who is stationed at the port of Mokha, if it should please his mind to go out, he may go out to Senaa to His Highness the Imam Mehdi for recreation of the mind. No one shall hinder him, and the Hakim of Mokha shall grant of his own army an escort for a safeguard on the road, and there is nothing contrary to him.

It is finished besides this.

Signed by the six Members.

ARTICLE 5.

That the anchorage duty of (400 G.C.) four hundred German crowns shall henceforth cease on British ships, which has hitherto been levied on all merchant ships when

ARTICLE 5.

The merchant ships which are dependent on the English Government, there was a custom that they should pay 400 rials as anchorage duty; but from this day it ceases; there is

they landed cargoes. Hereafter no duty on this account shall be paid whether cargo is landed or not, the same as His Majesty's ships and the Honourable Company's vessels of war.

(Sd.) WM. BRUCE,
Govt. Agent.

ARTICLE 6.

All subjects of the British Government trading to Mokha, and particularly the merchants of Surat, shall do so under the protection of the British flag (if of the Islam faith, and wish to settle their disputes according to the Mahomedan Sharah, they shall be at liberty to do so, a person on the part of the Resident attending), and all differences among themselves shall be decided by the Resident; in the event of any of the Imam's subjects being concerned in the dispute, by an Agent on the part of the Resident (or himself if he pleases) and the Governor conjointly; if the Imam's subject is wrong, the Governor shall punish him: if, on the contrary, the Resident. Also that all the dependants of the factory of every denomination, from broker downwards, shall be wholly under the protection of the British flag and control of the Resident, who shall alone possess the power of punishing them and redressing all complaints against them.

This sixth Article has been expressly admitted by separate grant nothing (leviable) on them; their situation is that of the Government vessels and the King's ships. If its cargo should be brought on shore, there is nothing (leviable) on them of the 400 rials. This affair was discussed and fixed without being referred to Senaa, on the condition of the cessation of hostilities and the removal of the blockade of the port.

It is finished besides this.

Signed by the six Members.

ARTICLE 6.

That all merchants who are the dependants of the English Government, under their protection and under their flag, may transact their affairs (trade) at the Bunder of Mokha, especially the natives of Surat. If there be Mussulmen among them, and disputes should happen between them, and any of them may desire (to have) the law (Mussulman), no opposition is to be made to them (meaning to their wishes).

Whenever there may be (any dispute) between the people ("Jumaut") of resident and the subjects of Mokha, a person may come (be present) on the part of the Resident before the Hakim of Mokha, who will observe in what manner the wrong has been committed, and by whom. If the native of the country be in the wrong, the Hakim of Mokha is to punish him; but if the crime or wrong should have been committed by the English military ("Uskur"), then the Resident is to punish them.

This Article, the sixth, is one of the two which were referred to the Imam Mehdi for his consideration, and the Shureef's answer having arrived, was (given into) the hands of

to Captain Bruce by His Highness the Imam.

(Sd.) WM. BRUCE,
Govt. Agent.

ARTICLE 7.

That the export duty on the British trade shall be hereafter 2¼ per cent., the same as the French and not 3½ as hitherto, and that the import duty shall be the same to the English and all their subjects, and no more shall be levied than 2¼ per cent. upon imports and exports.

This Article is expressly granted by separate Firman from His Highness as a particular mark of his friendship to the British nation.

(Sd.) WM. BRUCE,
Govt. Agent.

MOKHA,
15th January 1821.

(True copy.)
(Sd.) WM. BRUCE,
Govt. Agent.

Signed and sealed by Umeer Futteh-oolla and all the Members of the Mokha Council to each separate Article, as also by Captain Bruce.

Approved.

(Sd.) JOHN KISH LUMLEY,
Capt. of H. M.'s Ship, "Topaze" and Senior Officer.

Mr. Bruce, a copy being retained by the Umeer Futteh-oolla; and on receipt of the answer, there was an argument between Mr. Bruce and the Umeer Futteh-oolla, the (substance of) which is written above.

ARTICLE 7.

In regard to duties on what is exported from the port of Mokha, two dollars and a quarter shall be paid on one hundred, as the French, who pay two dollars and a quarter on the hundred; and the imports into the port of Mokha shall be like that for the English Government and for the English merchants.

The seventh Article is (one) of the two Articles which were referred for the consideration and decision of His Highness the Shureef Mehdi, and to which the answer returned by the Shureef was as follows:—

"We have reduced the duties three-quarters of a dollar per cent. out of three dollars, and this is upon all goods imported into the port in the name of the English Cirkar and their merchants; there is not (to be) more (required) from them than two and a quarter dollars per cent. alone, both upon goods imported and on goods exported, and this is as a mark of our regard and respect for the said two (the English Government and their merchants) and for the preservation of the intercourse and friendship between us both, as was (the case) with those who existed before us (in former times).

"Dated Rubbee-oo-Sanee 1236 of the Hijra, A. D. 1821.

Signed by the six Members."

No. LXXIX.

COMMERCIAL TREATY entered into between SHARIF HUSSAIN BIN ALI BIN HAIDAR UL HUSAINI, GOVERNOR of MOKHA, for himself and posterity, and CAPTAIN ROBERT MORESBY, of the INDIAN NAVY, on the part of the HON'BLE the EAST INDIA COMPANY.

It being advantageous to both parties to enter into a treaty of peace and commerce, and that a mutual good understanding should exist between each other, Sharif Husain bin Ali bin Haidar ul Husaini and Captain Robert Moresby, of the Indian Navy, being fully authorized to do so, agree to the following Capitulations and Articles:—

1st.—That friendship and peace shall be lasting between the States of Mokha and its dependencies and the British Government.

2nd.—That the English nation, and all vessels lawfully sailing under the British flag having merchandize of any description shall be respected and permitted without the slightest prejudice or molestation of their persons or effects to enter and trade in the port or ports of Mokha and its dependencies, English born subjects paying a duty of $2\frac{1}{4}$ per cent. upon all produce, other British subjects paying duty according to the records of former treaties and custom, and the subjects of the Sharif of Mokha shall pay the usual duty as heretofore paid in British ports.

3rd.—The port of Mokha and the adjacent ports under the Government of Mokha are to be open to the introduction and reception of all goods, merchandize, etc., brought in ships or vessels lawfully trading under the British flag. Further, Sarif Husain bin Ali bin Haidar ul Husaini will endeavour all in his power to introduce British produce into the interior States of Mokha and its dependencies.

4th.—Sharif Husain bin Ali bin Haidar of Husaini, Governor of Mokha, engages at all times to respect and regard the friendly advice of any authorized person belonging to the English Government, and agrees not to enter into any treaty or bond with any other European nation or person, without, in the first instance, bringing the subject to the notice of the British Government or authorities at Aden, so that the same may in no manner prove detrimental to his friends, the English, and their commerce. In return for these conditions the English Government will observe the interests of the States of Mokha and its dependencies, and do all in their power to assist in improving its commercial resources connected with these Articles. The Sharif of Mokha and its dependencies is allowed to trade with any European nation, and Sharif Husain bin Ali bin Haidar ul Husaini engages never to enter into any agreements or bond with any other European power, and should he find any European or Native power at enmity or war with the English, he will cease communicating with such powers.

5th.—Any subjects of either power having committed crime or offence is to be brought before the Judge or Kazi through the Government Agent; should it not be settled at this tribunal, the British Agent and the Governor of the place will decide upon the case.

6th.—Sarif Husain bin Ali bin Haidar ul Husaini engages to respect and protect any merchants or other British subjects residing in his territories, provided the sanction of this Government be previously obtained, the British Government guaranteeing the same privilege to their people of Mokha and its dependencies.

7th.—In entering into any bond or treaty, or trading with either European or other power, Sharif Husain bin Ali bin Haidar ul Husaini engages that no bond or treaty shall be acceded to or acquiesced in by him, which will either at the present or any future period prove detrimental to the interest of the English, either in a political or commercial point of view, and in return for such agreement the British promise they will act in no manner which may bear an evil tendency towards the States of Mokha.

8th.—We, Sharif Husain bin Ali bin Haidar, ratified the above Articles for the benefit of both powers.

In witness whereof we, this 1st day of September 1840, corresponding with the 3rd of Rajab 1256 of the *Hijra*, have attached our seals.

Translation of a treaty by J. Kalehatoon.

(Sd.) ROBERT MORESBY,
Captain, Indian Navy.
MOKHA, *1st Sept. 1840.*

N. B.—At the conclusion of the 7th Article it is inserted by Sharif Husain that he does not wish any injuries to the British Government either from French or other European powers or Muhammad Al Pasha, and he will consider the enemies of the English are his and his heirs.

No. LXXX.

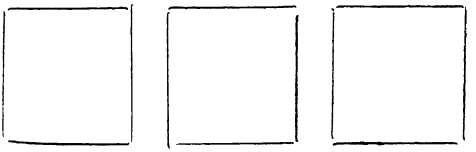
TRANSLATION of AGREEMENT with the SULTAN of SOCOTRA—1834.

First the said Sultans do promise and agree to the British Government landing and storing on any part of the sea-coast of the Island of Socotra any quantity of coals or other articles which may be sent now or hereafter from the British Government of India to be deposited on the Island.

Secondly, Captain Daniel Ross on the part of His Excellency the Right Honourable the Governor-General do promise that there shall be no interference with the laws and customs of the Island of Socotra or with the interior,

of the Island, or shall the inhabitants of such parts where the coals are deposited be ill-treated by the English vessels visiting the Island with the coals.

(Sd.) DANIEL ROSS.



(True copies.)

(Sd.) W. H. MACNAGHTEN,
Officiating Secretary.

No. LXXXI.

TRANSLATION of AGREEMENT entered into by the SULTAN of SOCOTRA—1876.

Praise be to God alone!

The object of writing this lawful and honourable bond is that it is hereby covenanted and agreed between Ali bin Abdulla bin Salem bin Saad bin Afreer, Sultan of Socotra, on the one part, and Brigadier-General John William Schneider, the Governor of Aden, on behalf of the British Government, on the other part, that the said Ali bin Abdulla bin Salem bin Saad bin Afreer, Sultan of Socotra, does pledge and bind himself, his heirs and successors, never to cede, to sell, to mortgage, or otherwise give for occupation, save to the British Government, the Island of Socotra or any of its dependencies—the neighbouring islands.

In consideration of the above covenant, the said Ali bin Abdulla bin Salem bin Saad bin Afreer, Sultan of Socotra, has received from Brigadier-General John William Schneider, the Governor of Aden, on behalf of himself, his heirs and successors, an immediate payment of $3,000 (three thousand), and he, his heirs and successors, shall further receive from the British Government a yearly subsidy of $360 (three hundred and sixty), it being understood that this stipend imposes on the aforesaid Ali bin Abdulla bin Salem bin Saad bin Afreer, Sultan of Socotra, his heirs and successors, the obligation of rendering assistance to any vessel, whether belonging to the British or any other nation, that may be wrecked on the Island of Socotra or on its dependencies—the neighbouring islands, and of protecting the crew, the passengers, and the cargo thereof, for which act of friendship and good-will towards the British Government a suitable reward will also be given to Ali bin Abdulla bin Salem bin Saad bin Afreer, Sultan of Socotra, and to his heirs and successors after him.

In token of the conclusion of this lawful and honourable bond, Ali bin Abdulla bin Salem bin Saad bin Afreer, Sultan of Socotra, and Brigadier-General John William Schneider, the Governor of Aden, the former for himself, his heirs and successors, and the latter on behalf of the British Government, do each, in the presence of witnesses, affix their signatures on this twenty-sixth day of Zilhujjeh (A.H.) 1292, corresponding with the 23rd day of January (A.D.) 1876.

(Signature in Vernacular.)

(Sd.) J. W. SCHNEIDER, *Brigr.-Genl.*,
Political Resident, Governor of Aden.

Witnessed by:

(Signature in Vernacular.)

In the presence of—

(Sd.) LINDSAY BRINE,
Captain of H. Majesty's Ship "Briton."

(Sd.) SALEH JAFFER,
Interpreter to the Resident,
On board H. M.'s Ship "Briton,"
off Kisheen.
23rd January 1876.

(Sd.) NORTHBROOK,
Viceroy and Governor-General of India.

Ratified by His Excellency the Viceroy and Governor-General of India at Calcutta on the first day of March 1786.

(Sd.) T. H. THORNTON,
Offg. Secy. to the Govt. of India.

No. LXXXII.

PROTECTORATE TREATY with the SULTAN of SOCOTRA and KISHN—1886.

The British Government and Ali bin Abdulla bin Salem bin Saad bin Afreer, Sultan of Socotra and its dependencies, being desirous of maintaining and strengthening the relations of peace and friendship existing between them:

The British Government have named and appointed Brigadier-General A. G. F. Hogg, Political Resident at Aden, to conclude a Treaty for this purpose.

The said Brigadier-General A. G. F. Hogg and Sultan Ali bin Abdulla aforesaid have agreed upon and concluded the following Articles:—

ARTICLE 1.

The British Government, in compliance with the wish of the undersigned Sultan Ali bin Abdulla, hereby undertakes to extend to the Island of Socotra and its dependencies, which are under his authority and jurisdiction, the gracious favour and protection of Her Majesty the Queen-Empress.

ARTICLE 2.

The said Sultan Ali bin Abdulla agrees and promises on behalf of himself, his heirs and successors, to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or power, except with the knowledge and sanction of the British Government. And further promises to give immediate notice to the Resident at Aden or other British officer of the attempt by any other power to interfere with the Island of Socotra and its dependencies.

ARTICLE 3.

The above Treaty shall have effect from this date.

In witness whereof the undersigned have affixed their signatures or seals at Kishn this twenty-third day of April, one thousand eight hundred and eighty-six.

(Sd.) CHARLES W. H. SEALY,
Second Assistant Resident,
on behalf of Brigadier-General A. G. F. HOGG,
Political Resident of Aden.

Witness:

(Sd.) M. S. JAFFER,
Native Assistant Resident, Aden.

Translation of the Arabic signatures is as follows:—

× Mark of SULTAN ALI BIN ABDALLA BIN SALIM BIN SAAD BIN TA WARI BIN AFRAR, Sultan of Socotra and its dependencies.

Witnesses:

Signature of Sultan SALIM BIN AHMED BIN SAAD BIN AFRAR.

„ of SAAD BIN MUBARAK, Kadthi of Kishn.

„ of MAHOMED BIN SAAD, Kadthi of Kollonsia and Socotra.

(Sd.) DUFFERIN,
Viceroy and Governor-General of India.

This Treaty was ratified by the Viceroy and Governor-General of India in Council at Simla on the twenty-third day of June, A.D. one thousand eight hundred and eighty-six.

(Sd.) H. M. DURAND,
Secretary to the Government of India,
Foreign Department.

No. LXXXIII.

PROTECTORATE TREATY with the MAHRI TRIBE—1888.

The British Government and Ali bin Abdalla bin Salim bin Saad bin Afrir al Mahri, Sultan of Kishn and its Dependencies, being desirous of maintaining and strengthening the relations of peace and friendship existing between them:

The British Government have named and appointed Brigadier-General Adam George Forbes Hogg, C.B., Political Resident at Aden, to conclude a treaty for this purpose.

The said Brigadier-General Adam George Forbes Hogg, C.B., and Sultan Ali bin Abdalla bin Salim Saad bin Afrir al Mahri, aforesaid, have agreed upon and concluded the following articles:—

ARTICLE 1.

The British Government, in compliance with the wish of the undersigned, Sultan Ali bin Abdalla bin Salim bin Saad bin Afrir al Mahri, hereby undertakes to extend to Kishn and its dependencies, which are under his authority and jurisdiction, the gracious favour and protection of Her Majesty the Queen-Empress.

ARTICLE 2.

The said Sultan Ali bin Abdalla bin Salim bin Saad bin Afrir al Mahri agrees and promises on behalf of himself, his heirs and successors, to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or power, except with the knowledge and sanction of the British Government; and further promises to give immediate notice to the Resident at Aden, or other British officer, of the attempt by any other power to interfere with Kishn and its dependencies.

ARTICLE 3.

The above Treaty shall have effect from this date. In witness whereof the undersigned have affixed their signatures or seals at Kishn this second day of May, one thousand eight hundred and eighty-eight.

(Sd.) A. G. F. HOGG, *Brigadier-General,*
Political Resident.

WITNESS:

(Sd.) FREDERICK ROOPE, *Lieutenant,*
Royal Navy, Her Majesty's "Osprey."

Signed:

(Mark+) SULTAN ALI BIN ABDALLA BIN SALIM BIN SAAD BIN TAWARI BIN AFRIR,
Sultan of Kishn and its Dependencies,

His + mark.

TAWARI BIN AMR BIN TAWARI BIN AFRIR.

His + mark.

(*i.e.*, SAAD BIN SALIM BIN AMR BIN TAWARI BIN AFRIR.)

Signed in Arabic.

(SAAID BIN MUBAREK BIN SADIN),
Kadthi of Kishn.

(Sd.) M. S. JAFFER,
Native Assistant Resident, Aden.

(Sd.) LANSDOWNE,
Viceroy and Governor-General of India.

This Treaty was ratified by the Viceroy and Governor-General of India in Council at Fort William on the 26th day of February, A.D. one thousand eight hundred and ninety.

(Sd.) W. J. CUNINGHAM,
Offg. Secretary to the Government of India,
Foreign Department.

PART III.

TREATIES, AND ENGAGEMENTS

relating to

SOMALILAND AND SHOA.

1.—SOMALILAND.

THE British protectorate on the Somali coast extends from Lahadu (situated half-way between Ras Jibuti and Zaila on the south side of the Gulf of Tajoura) as far as the forty-ninth decree of east longitude close to Bandar Ziadeh.

The principal tribes along this coast are the Esa, whose limit extends from Ghubbet Kharab to the neighbourhood of Donguerita; the Habr Awal from the last-named place to about thirty-five miles from Berbera; and the Habr Toljaala, thence to about the forty-seventh degree of east longitude. Thence a section of the Habr Gerhajis extends to the west of Wakhderia, and the Warsingli from that point to the forty-ninth degree of east longitude.

The chief ports on this coast are Zaila, Bulhar and Berbera, from the revenues of which a subsidy of Rs. 1,950 per mensem is paid by the British Government to the headmen of the various tribes with which the Agency is brought into contact. These three ports, as well as Karam in the Habr Toljaala country, are customs ports. To the east of Berbera are the flag ports, named Anterad, Karam, Ankor, Raguda, Shellao, Hais, Mait and Mashow.

Treaty relations with the *Habr Awal* originated so long ago as 1827. A man-of-war having been sent to the coast to exact reprisals for the plundering of a British ship trading at Berbera, the elders of the tribe entered into a Treaty (No. LXXXIV) of peace and commerce in February of that year, securing reciprocal rights to trade and protection to trading vessels. The Habr Awal agreed to compensate the captain for his losses and to provide for the families of the men who had been killed.

In 1840, shortly after the capture of Aden, it was deemed advisable to secure a commanding position in the harbours of Tajoura and Zaila on the opposite coast. During the revolutions which convulsed Yemen after its evacuation by the Egyptians, the Chiefs of these two places, which had originally been dependent upon the Imam of Sanaa and more recently upon the government of Egypt, had succeeded in making themselves independent, and negotiations were accordingly opened with them direct.

By a Treaty (No. LXXXV) executed on the 19th August 1840, Muhammad bin Muhammad, Chief of Tajoura, bound himself not to enter into any engagement with any other European person or nation without first bringing the subject to the notice of the British Agent at Aden. At the same time the Sultan sold the island of Musa to the British Government.

By a Treaty (No. LXXXVI) concluded in September 1840, Saiyid Muhammad al Bar of Zaila entered into a similar undertaking, and ceded the island of Bab.

An expedition was sent in 1854 to explore the country between Berbera and Zanzibar. On the 18th of April 1855 the party were suddenly attacked by Somalis of the Esa Musa tribe; two British officers were wounded, one was killed, and the entire property of the expedition was carried off. A demand was at once made on the Habr Awal tribe for the surrender and punishment of the chief offenders, and the demand was enforced by the blockade of Berbera. The elders of the tribe endeavoured to comply with the demand, but were unable to apprehend the actual murderers, who took refuge in the interior. The British Government at last consented to withdraw the blockade on the Somali binding themselves in 1856 by a Treaty (No. LXXXVII) to use their utmost efforts to deliver up the murderers; to allow free trade with their territories; to abolish traffic in slaves; and to treat with respect any British agent who might be deputed to see that the conditions of the treaty were observed.

In 1855 the elders of the *Habr Gerhajis* and the *Habr Toljaala* tribes of Somali entered into an Engagement (No. LXXXVIII) with the Political Resident at Aden to prohibit the slave trade.

In 1848 Zaila and Tajoura came under the Government of the Turks, who had intervened in the disputes between the Imam of Sanaa and the Sharif of Mokha, and had taken possession of parts of the low country on the opposite coast of Arabia. They continued to hold both places till 1875, when the Porte, on certain conditions, made over its possessions on the

Somali coast to the Khedive, Ismail Pasha, who had in the previous year established himself at Harrar in the interior.

In 1884, owing to internal difficulties, the Egyptian Government found it necessary to withdraw their garrisons from this region, and the Porte not being at the time prepared to make any effective assertion of its authority, Zaila came into British occupation, while the French shortly afterwards obtained possession of Tajoura.

At the same time the British Agent was authorised to enter into negotiations with the tribes, with the result that treaties were concluded on the following terms with the Chiefs mentioned below :—

(1) *Habr Awal*, 14th July 1884 (No. LXXXIX). Prohibition to cede, or part with, territory save to the British Government; free permission to British vessels to trade with all Habr Awal ports; protection of British subjects in Habr Awal territory; abolition of slave trade; appointment of British agents at Berbera or elsewhere in Habr Awal territories.

Habr Awal, 15th March 1886 (No. XC). Protection by the British of Habr Awal tribe and territories; prohibition of correspondence or treaty with foreign powers.

(2) *Gadabursi*, 11th December 1884 (No. XCI). Prohibition to cede, or part with, territory; free permission to British vessels to trade; protection of British subjects; abolition of slave trade; appointment of British agents.

(3) *Habr Toljaala*, 26th December 1884 (No. XCII). Prohibition to cede, or part with, territory; free permission to British vessels to trade and protection of wrecks and crews of the same; protection of British subjects; abolition of slave trade; appointment of British agents.

Habr Toljaala, 1st February 1886 (No. XCIII). Protection by the British; prohibition of correspondence or treaty with foreign powers.

(4) *Esa*, 31st December 1884 (No. XCIV). Prohibition to cede, or part with, territory; free permission to British vessels to trade; protection of British subjects; abolition of slave trade; appointment of British agents.

(5) *Habr Gerhajis*, 13th January 1885 (No. XCV). Prohibition to cede, or part with, territory; free permission to British vessels to trade;

protection of British subjects; abolition of slave trade; appointment of British agents.

Habr Gerhajis, 1st February 1886 (No. XCVI). Protection by the British; prohibition of correspondence or treaty with foreign powers.

(6) *Warsingli*, 27th January 1886 (No. XCVII). Protection by the British; prohibition of correspondence or treaty with foreign powers; assistance to wrecks and protection of crews of wrecked vessels; abolition of slave trade; appointment of British agents; assistance to British officers and acceptance of their advice.

In February 1887, after protracted negotiations, the English and French Governments finally came to an understanding in the matter of their respective claims upon the Somali coast. The English protectorate is admitted to extend from the forty-ninth degree of east longitude to a point at the Lahadu wells situated about half-way between Zaila and Ras Jibuti, whence the line dividing the English and French protectorates runs to Abbaswain. Biyo Kabobo, Gildessa and Harrar; the islands of Musa and Bab are included in the French protectorate by a convention settled in 1888. Neither government is to attempt any interference across the line of division thus defined between them. The caravan route from Zaila to Harrar *viâ* Gildessa is to remain open to all commerce. Both governments undertake to adopt all necessary measures for the suppression of the slave trade, and to prohibit the importation of powder and arms into the territories subject to their respective influence.

The British Government have no treaty relations with any tribes beyond the eastern boundary of their protectorate, except the Mijjertain Somalis, from whom engagements were taken in 1866 and 1884, the former (No. XCVIII) providing for the abolition of the slave trade, the latter (No. XCIX) for the protection of vessels, British or foreign, wrecked upon their coasts, in return for an annual subsidy of 360 dollars.

In 1889 an Order in Council was prepared for regulating the exercise of jurisdiction and kindred matter upon the Somali coast. But in May 1891 it was desired to defer for the time being any further steps for bringing it into effect.

In 1897, after consideration of the reports of the special mission to Abyssinia, the Imperial Government, in view of the importance which attached to British relations with the Abyssinian Sovereign, at whose court

it would probably be necessary to establish a permanent legation, and the bearing which these relations had on the political situation in the valley of the Nile, considered that it might be desirable to transfer the administration of the British protectorate on the Somali coast to the Imperial Government. The Government of India agreed to this, and the transfer accordingly took place in October 1898.

2. SHOA.

In 1840 Sahela Selassi, King of Shoa in southern Abyssinia, expressed a desire to cultivate the friendship of the British Government, and wrote to the Government of Bombay asking to be furnished with guns and warlike stores. Shoa was then one of the most powerful and important provinces in Abyssinia. It is inhabited by the Galla tribe. At the time when Sahela Selassi made these advances, the steam navigation of the Red Sea had given an exaggerated importance to the trade of Abyssinia. It was therefore determined to send a mission to the court of Shoa, with which country the French also appeared anxious to establish friendly connections. A commercial Treaty (No. C) was concluded with the King on the 16th November 1841.

The intercourse of the British Government with the King, is limited to the exchange of friendly letters and presents.

No. LXXXIV.

ARTICLES OF FRIENDSHIP and COMMERCE made between J. J. GORDON BREMER, ESQ., C.B., CAPTAIN of HIS BRITANNIC MAJESTY'S SHIP *Tamar*, representing the ENGLISH NATION in NORTHERN AFRICA, and the SHEIKHS of the TRIBE of HABR OWUL,—1827.

ARTICLE 1.

It is agreed that from henceforth there shall be peace and friendship between the subjects of His Majesty the King of England and the Sheikhs of the Habr Owul tribe and their men and all other inhabitants of the coast of Africa over which they have authority and influence.

ARTICLE 2.

It is agreed that any vessels bearing the English flag which may come to the port of Berbera (or any other port under the authority of the Sheikhs of the Habr Owul tribe) for the purpose of trade shall not be molested or injured, but shall receive every protection and support from the said Sheikhs; that they shall be at liberty to enter into any trade they may think fit to choose; and that they shall be at liberty to depart from the said port at their pleasure without impediment, injury, or molestation.

ARTICLE 3.

It is agreed that in like manner any vessels or persons belonging to the said Sheikhs of Habr Owul tribe which shall come into any port belonging to His Majesty the King of England shall receive protection and support, and be treated in all respects the same as other vessels or persons trading to those ports.

ARTICLE 4.

It is agreed that as an equivalent for the value of the British Brig *Marianne* and her cargo, which was plundered in the port of Berbera, there shall be paid by the said Sheikhs of the Habr Owul tribe to the said Captain J. J. Gordon Bremer, C.B., or to some person duly authorized by him to receive it, the sum of fifteen thousand Spanish Dollars, or produce to the same amount, in three equal payments, that is to say, five thousand Dollars or produce to that amount, this year 1827 and of the Hijra 1242, and the same sum in each of the two following years, that is to say, on or before the conclusion of the trading season in the month of April, or two hundreth day of the Nowroz.

ARTICLE 5.

Two lascars belonging to the British Brig *Marianne* having been killed when the said vessel was plundered and destroyed, the Sheikhs of the Habr Owul tribe do hereby agree to pay the sum of
Dollars for the support of the families of the murdered men, according to the Mahomedan law in such cases.

Confirmed and sealed at Berbera, in Africa, on the 6th day of February in the year of our Lord Jesus Christ 1827 and of the Hijra 1242, the 19th day of the moon Rujub.

(Sd.) J. J. GORDON BREMER.
M. E. BAGNOLD. L. S.

Poltl. Agent, Witness.

Witness:

SHURMARKAY ALI SAULEH.

(Signed) by Ismail Gella for himself and Omar Kadim Hussin Ban and Ismail Goled, Sheikhs of Habr Owul tribe.

Approved by the Bombay Government on 10th May 1827.

No. LXXXV.

COMMERCIAL TREATY entered into between SULTAN MOHAMMED BIN MOOHOOMUD of TAJOURA and CAPTAIN ROBERT MORESBY, of the INDIAN NAVY, on the part of the HON'BLE EAST INDIA COMPANY,—1840.

It being advantageous to both parties to enter into a Treaty of Peace and Commerce, and that a mutual good understanding should exist between each other, more especially so since Aden has become a British port; We, Sultan Mohammed bin Moohoomud and Captain Robert Moresby, of the Indian Navy (being fully authorised so to do), agree to the following Capitulations and Articles:—

ARTICLE 1.

That friendship and peace shall be lasting between the State of Tajoura and its dependencies and the British Government.

ARTICLE 2.

That the English nation and all vessels lawfully sailing under the British flag having merchandise of any description on board shall be respected and permitted, without the slighest prejudice or molestation to

their persons or effects, to enter and trade in the port and all ports under the Government of Tajoura, paying a duty of 5 per cent. upon all produce. The subject of the Sultan of Tajoura shall also be permitted the same privileges at all British ports.

ARTICLE 3.

The port of Tajoura and the adjacent ports under the Government of Sultan Mohammed bin Moohoomud are to be open for the introduction and reception of all goods brought in ships or vessels lawfully trading under the British flag. Further, the Sultan of Tajoura will endeavour all in his power to introduce British produce into the interior States of Eiffat, Shooah, and Abyssinia, and in return the authorities at Aden will endeavour to encourage interior export trade through Tajoura.

ARTICLE 4.

Sultan Mohammed bin Moohoomud of Tajoura engages at all times to respect and regard the friendly advice of any authorised person belonging to the British Government, and agrees not to enter into any other Treaty or Bond with any other European nation or person, without in the first instance bringing the subject to the notice of the Government authorities at Aden, so that the same may in no way prove detrimental to his friends the English or their commerce. In return for these conditions the British Government will observe the interest of the State of Tajoura, and do all in their power to assist in improving their commercial resources.

ARTICLE 5.

Any subject of either power having committed a crime or offence is to receive sentence awarded by their own laws and regulations.

ARTICLE 6.

Sultan Mohammed bin Moohoomud of Tajoura engages to protect and respect any British subject residing in his territories, provided the sanction of his government be previously obtained, the British guaranteeing the same privilege to the people of Tajoura and its dependencies.

ARTICLE 7.

In entering into any bond or treaty or trading with either European or other powers, Sultan Mohammad bin Moohoomud engages that no bond or treaty shall be acceded to or acquiesced in by him, which will either at the present or at any future period prove detrimental or injurious to the interests of the British either in a political or commercial point of view, and in returnfor such agreement the English promise that they will act in no manner which may have an evil tendency towards the States of Tajoura.

ARTICLE 8.

We, Sultan Mohammed bin Moohoomud and Captain Robert Moresby, of the Indian Navy, having met and being mutually satisfied with each other's powers have ratified the above Articles for the benefit of both powers.

In witness whereof, we, this 19th day of August, in the year of our Lord one thousand eight hundred and forty, corresponding with the 22nd day, of Jumandi-el-Akhar, in the year of the Hijra one thousand two hundred and fitty-six, have attached our seals and signatures.

Witness.

ABDUL ROUSSOUL,
Agent to the British Government.

HADJI SHOOMARKHI,
Shaik of Berbera.

(Sd.) MORESBY, *Capt. I. N.*,
Comdg. the H. C. Steam Frigate "Sesostris."

The Signature or MOHAMMED-BIN MOOHOOMUD, Sultan of Tajoura.
BENYEETA-BIN MOHAMMED LOUZW.
MAHOMMED ESAAKH.
ABOU BEKIR SHAIM.
MOHAMMED SABBARH.
ABOU BEKIR MEEJAHN.
MOHAMMED-BIN AHMED.

August 19, 1840.

No. LXXXVI.

COMMERCIAL TREATY entered into between SYED MAHOMED BAR, GOVERNOR of ZEYLA, for himself and posterity, and CAPTAIN ROBERT MORESBY, of the INDIAN NAVY, on the part of the HON'BLE EAST INDIA COMPANY,—1840.

It being advantageous to both parties to enter into a treaty of peace and commerce and that lasting friendship and good-will should exist between each other, we, Syed Mahomed Bar, Governor of Zeyla, and Captain Robert Moresby, of the Indian Navy, on account of the Hon'ble East India Company being fully authorized to do so, agree to the following capitulations and articles:—

ARTICLE 1.

That the English nation and all vessels, ships, and boats lawfully sailing under the British flag commanded by European or native subjects of the English, having merchandize of any description, shall be respected and permitted without the slighest prejudice or molestation to their persons or effect

to enter and trade in the port of Zeyla and all other ports under the Governor of Zeyla, paying a duty of 5 per cent. upon all produce. The subjects of the Governor of Zeyla shall also pay the same duty in all English ports.

ARTICLE 2.

The Governor of Zeyla will endeavour in his power to introduce British property and merchandize into the interior States of Zeyla, and engages at all times to protect, and respect and regard the person or persons of English and their subjects and friendly advice of any authorized person or Agent belonging to the British Government, who, while at Zeyla, to be respected and regarded. The English on their part allow the same to be done in their port of Aden or elsewhere, and to assist the trade from Zeyla.

ARTICLE 3.

The Governor of Zeyla engages not to enter into any treaty or bond with any other European nation or person, or allow other Europeans to settle in his territories, or pass through in any numbers, without bringing the subject in the first instance to the notice of the British Government at Aden, so that the same may be in no manner detrimental to his friends the English or their commerce, in return for which the English will do all in their power to assist the Governor of Zeyla in improving his commercial resources.

ARTICLE 4.

Any subjects of either power having committed crime or offence are to be punished by their own laws and customs of the country they belong to.

ARTICLE 5.

Syed Mahomed Bar makes over the island called Aubad near Zeyla to the English Government for the harbour of their ships and vessels without any prohibition whatever.

We, Syed Mohamed Bar, Governor of Zeyla, and Captain Robert Moresby, of the Indian Navy, on the part of the English Government of India, do ratify and agree to keep faithfully the above articles that peace and freindship may be lasting between us. In witness whereof we have set our names and seals.

MOCHA,
The 3rd September 1840.

(Sd.) R. MORESBY, *Captain,*
Comdg. H. C. Steam Frigate
"Sesostris."

No. LXXXVII.

Articles of Peace and Friendship concluded between the Habr Awal Tribe of Somalies, on the one part and Brigadier William Marcus Coghlan, Political Resident at Aden, on behalf of the Hon'ble East India Company, on the other,—1856.

Whereas on the 19th of April 1855, correspondene with the 1st of Shaban 1271, a treacherous attack and murder was perpetrated at the port of Berbera by a party of the Habr Awal tribe upon a party of British officers about to travel in that country with the consent, and under the protection, of the Elders of the tribe, in consequence of which outrage certain demands were made by the Government of India and enforced by a blockade of the Habr Awal coast, and whereas it has become apparent that the said tribe has fullfilled those conditions to the utmost of its ability and has prayed to be relieved from the blockade. Therefore it is agreed—

Article 1.

That the Elders of the Habr Awal will use there best endeavours to deliver up Anali, the murderer of Lieutenant Stroyan.

Article 2.

That until this be accomplished, the sub-tribe Esa Moosa, which now shelters, and any other tribe which may hereafter shelter, harbour or protect, the said Anali, shall be debarred from coming to Aden.

Article 3.

That all vessels sailing under the British flag shall have free permission to trade at the Port of Berbera, or at any other place in the territories of the Habr Awal; and that all British subjects shall enjoy perfect safety in every part of the said territories, and shall be permitted to trade or travel there under the protection of the Elders of the tribe. In like manner shall the members of the Habr Awal tribe enjoy similar privileges at Aden or in any other part of the British possession.

Article 4.

The traffic in slaves throughout the Habr Awal territories, including the Port of Berbera, shall cease for ever; and any slave or slaves who contrary to this engagement shall be introduced into the said territories shall be delivered up to the British; and the Commander of any vessel of Her

Majesty's or the Hon'ble East India Company's Navy shall have the power of demanding the surrender of such slave or slaves and of supporting the demand by force of arms if necessary.

ARTICLE 5.

The Political Resident at Aden shall have the power to send an Agent to reside at Berbera, during the season of the fair, should he deem such a course necessary, to see that the provisions of this agreement are observed, and such Agent shall be treated with the respect and consideration due to the representative of the British Government.

ARTICLE 6.

That on a solemn promise being given by the Elders of the Habr Awal faithfully to abide by the articles of this agreement, and to cause the rest of the tribe to do so likewise, and to deliver up to the Political Resident at Aden any party who may violate it, the blockade of the Habr Awal coast shall be raised and perpetual peace and friendship shall exist between the British and the Habr Awal.

Done at Berbera this seventh day of November one thousand eight hundred and fifty-six of the Christian era, corresponding with the eighth day of Rahbee Awul one thousand two hundred and seventy-two of the Hijra.

Mark	(1) MAHOMED ARRALEH,	*Ayal Yoonus.*
,,	(2) AHMED ALI BOOKERI,	
,,	(3) NOOR FARRAH,	
,,	(4) AHMED GHALID,	*Ayal Ahmed.*
,,	(5) MAHOMED WAIS,	
,,	(6) MUGGAN MAHOMED,	
,,	(7) ROBBLIE HASSAN,	*Makahil.*
,,	(8) ATEYAH HILDER,	
,,	(9) FARRAH BENIN,	
,,	(10) AWADTH SHERMARKI,	*Ayad Hamood.*

Signed in my presence at Berbera on the 7th November 1856.

(Sd.) R. L. PLAYFAIR,
Assistant Political Resident, Aden.

(Sd.) W. M. COGHLAN,
Political Resident.

Aden, 9th November 1856.

Ratified by the Right Honourable the Governor-General in Council, at Fort William, this twenty-third day of January 1857.

(Sd.) CANNING.
„ GEO. ANSON.
„ J. DORIN.
„ J. LOW.
„ J. P. GRANT.
„ B. PEACOCK.

By order,

(Sd.) G. F. EDMONDSTONE,
Secretary to the Government of India.

No. LXXXVIII.

ENGAGEMENT entered into by the ELDERS of the HABR GERHAJIS and HABR TOLJAALA TRIBES of SOMALIS,—1855.

In the name of the Most Merciful God, and Him we implore !

The reason of writing this bond is that, influenced by motives of humanity and by a desire to conform to the principles on which the great English Government is conducted, we lend a willing ear to the proposals of our sincere friend Brigadier W. M. Coghlan, Governor of Aden, that we shall covenant with him and with each other to abolish and prohibit the exportation of slaves from any one part of Africa to any other place in Africa or Asia, or elsewhere, under our authority.

We, whose names and seals are set to this Bond, do therefore in the sight of God and of man solemnly proclaim our intentions to prohibit the exportation of slaves from Africa by every means in our power; we will export none ourselves, nor will we permit our subjects to do so, and any vessels found carrying slaves shall be seized and confiscated and the slaves shall be released.

PEACE.

Signatures.

No. 1. SULTAN MANASSIR BIN BOO BEKR BIN MEHDI, the Oulaki, done at Aour, dated 14th October 1855.

No. 2. SULTAN ABOO BEKR BIN ABDULLA BIN MEHDI, the Oulaki, same date and place.

PEACE.

Signatures.

No. 3. SEYED MAHOMED-BIN-ABADER-RAHMAN El TIFFERI, as witness to Nos. 1 and 2.

No. 4. ALI MAHOMED (ZAID Elder of the HABR GERHAGIS tribe of SOMALIS at Mail), done the 5th Suffer 1272, corresponding with the 17th October 1855.

No. 5. HIRSEE ALI MAHOMED, Elder of the HABR GERHAGIS tribe of Somalis at Mail, done the 5th Suffer 1272, corresponding with the 17th October 1855.

No. 6. OMAR-BIN-AHMED-BIN SAID BA-SHITICH as witness to Nos. 4 and 5 (Mahamood).

No. 7. MAHAMOOD-MAHOMED, Elder of the HABR TALJALA tribe at Aais, 5th Suffer 1272, corresponding with 17th October 1855.

No. 8. ABOO BEKR-BIN MAHOMED, Elder of the HABR TALJALA tribe at Rasoda, done the 5th Suffer 1272, corresponding with the 17th October 1855.

No. 9. ABDOO OMAR, Elder of the HABR TAIJALA tribe at Unkur, done the 6th day of Suffer 1272, corresponding with the 18th October 1855.

No. 10. ALI AHMED, Elder of the HABR TALJALA tribe at Unkur, done the 6th Suffer 1272, corresponding with the 18th October 1855.

No. 11. HASSUN YAUSEF, Elder of the HABR TALJALA tribe at Kurrum, done the 6th day of Suffer 1272, corresponding with the 18th October 1855.

No. 12. MAHOMED LEEBAN, Chief of the HABR TALJALA tribe at Kurrum, done the 6th Suffer 1272, corresponding with the 18th October 1855.

No. 13. YOOSEF OTHMAN, Elder of the HABR TALJALA tribe at Ain Tarad, done the 7th Suffer 1272, corresponding with the 19th October 1855.

No. 14. AHMED ABOO BEKR MAHOMED SEEBAN, Elder of the HABR TALJALA tribe at Ain Tarad, done the 7th Suffer 1272, corresponding with 19th October 1855.

(True copy of translation.)

(Sd.) BRIGADIER,
Acting Political Resident and Consul.

No. LXXXIX.

Treaty with the Habr Awal,—1884.

Whereas the garrisons of His Highness the Khedive are about to be withdrawn from Berbera and Bulhar and the Somali Coast generally, we, the undersigned Elders of the Habar Awal tribe, are desirous of entering into an agreement with the British Government for the maintenance of our independence, the preservation of order, and other good and sufficient reasons.

Now it is hereby agreed and covenanted as follows:—

Article 1.

The Habr Awal do hereby declare that they are pledged and bound never to cede, sell, mortgage or otherwise give for occupation, save to the British Government, any portion of the territory presently inhabited by them or being under their control.

Article 2.

All vessels under the British flag shall have free permission to trade at the ports of Berbera, Bulhar, and other places in the territories of the Habr Awal.

Article 3.

All British subjects residing in, or visiting the territories of, the Habr Awal shall enjoy perfect safety and protection, and shall be entitled to travel all over the said limits under the safe conduct of the Elders of the tribe.

Article 4.

The traffic in slaves throughout the territories of the Habr Awal shall cease for ever, and the Commander of any of Her Majesty's vessels, or any other British officer duly authorized, shall have the power of requiring the surrender of any slave and of supporting the demand by force of arms by land and sea.

Article 5.

The British Government shall have the power to appoint an Agent or Agents to reside at Berbera or elsewhere in the territories of the Habr Awal

and every such Agent shall be treated with respect and consideration, and be entitled to have for his protection such guard as the British Government deem sufficient.

The above-written Treaty shall come into force and have effect from the date on which the Egyptian troops shall embark at Berbera, but the agreement shall be considered provisional and subject to revocation or modification unless confirmed by competent authority.

In token of the conclusion of this lawful and honourable bond, Abdillah Liban and Jamah Yunus (both Ayal Ahmed Badila), Said Gulaid and Awadh Ali (both Bhandera), Ubsujeh Jamah and Awadh Liban (both Baho), Ilini Farah and Yescen Umar (both Ba Eyso Musa), Ahmed Liban and Farah Samanter (both Ayal Sherdone), Hirsi Mahomed, Haid Ahmed, Husain Ali, Abokr Ahmed, Ismail Doaly, Adan Ismail and Yunus Deriah (all Ayal Gedid), Jamah Farah (Ayal Hosh), Warfah Adowa, Mahomed Yunus Hirsi Buraid, Ali Mahomed, Husain Gaillay, Majan Said, Mahomed Kabillay and Wais Yusuf (all of the Eysa Musa), Roblay Doblay and Musa Farah (Mikhail), Nur Awadh and Ismail Farah (both of the Ayal Hamed), and Major Frederick Mercer Hunter, the Officiating Political Resident of Aden, the former for themselves, their heirs and successors, and the latter on behalf of the British Government, do each and all in the presence of witnesses affix their signatures, marks or seals, at Berbera, on this twenty-first day of Ramdhan, one thousand three hundred and one, corresponding with the fourteenth of July, one thousand eight hundred and eighty-four.

(Sd.) F. M. HUNTER, *Major*,
Officiating Political Resident, Aden.

Witness:

(Sd.) W. J. PEYTON, *Lieutenant*,
Bombay Staff Corps.

(Sd.) RIPON,
Viceroy and Governor-General of India.

This agreement was ratified by the Governor-General of India in Council at Simla on the twenty-third day of August A. D. 1884.

(Sd.) C. GRANT,
Secretary to the Government of India,
Foreign Department.

The Arabic version of this agreement was signed by the following :—

his
SAID × GULAID.
mark.

his
ABDILLAH × LIBAN.
mark.

his
AWADH ✗ LIBAN.
mark.

his
JAMAH O FARAH.
mark.

his
VAFAH Λ ADUMAH.
mark.

his
AHMED Λ LIBAN.
mark.

his
AMLSI Q AHMED.
mark.

his
HIRSEE Z ALI.
mark.

his
ISMAIL O DOALY.
mark.

his
HIRSI Q BRAID.
mark.

his
HUSAIN O GAILAY.
mark.

his
MAHOMED 8 KABILLAY.
mark.

his
ROBLAY × DOBLAY.
mark

his
ISMAIL G FARAH.
mark.

his
UBSIYAH O JAMAH.
mark.

his
YASSINO OMAN.
mark.

his
JHNI O FARAH.
mark.

his
AWADTH × ALI.
mark.

his
HAID Z AHMED.
mark.

his
YUNNUS × DEOOLI.
mark.

his
AIN ? LERAND.
mark.

his
ALI 88 MOHAMED.
mark.

his
MAGAN 8 SAID.
mark.

his
WAIS Q YUSUF.
mark.

his
MIAN 3 FARAH.
mark.

his
MIR *w* AWADTH.
mark.

Witness :

(Sd.) M. S. JAFFER.

(MAHOMED ABDUL RAHMEN.)

No. XC.

SUPPLEMENTARY GENERAL TREATY with HABR AWAL.—1886.

The British Government and the elders of the Habr Awal tribe who have signed this agreement, being desirous of maintaining and strengthening the relations of peace and friendship existing between them :

The British Government have named and appointed Major Frederick Mercer Hunter, C.S.I., Political Agent for the Somali Coast, to conclude a Treaty for this purpose.

The said Major Frederick Mercer Hunter and the said Elders of the Habr Awal have agreed upon and concluded the following Articles :—

ARTICLE 1.

The British Government, in compliance with the wish of the undersigned Elders of the Habr Awal, hereby undertakes to extend to them and to the territories under their authority and jurisdiction the gracious favour and protection of Her Majesty the Queen-Empress.

ARTICLE 2.

The said Elders of the Habr Awal agree and promise to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or power, except with the knowledge and sanction of Her Majesty's Government.

ARTICLE 3.

This treaty shall come into operation from the fifteenth day of March, one thousand eight hundred and eighty-six.

(Sd.) ELMI HUNDULLEEY. } Baila.
(„) MAHOMED LIBAN. }
(„) HASSAN ALI. }
(„) JAMA TUNIS. }

(„) ABSEYA JAMALJHIS. } Baho.
(„) AGENT GAILA FERAL. }
(„) SAID NOOR. }
(„) OMER MAHOMED. }
(„) GAILA FARAH. }
(„) INDUF FARAL. }

(„) ALIM GOOLADE. } All of Ayal Yunnus.
(„) HUSSAN ADAM. }
(„) ABDULLAH NUR. }
(„) WASSAMA DAGUL. }
(„) FARAH SAMANTER. }

(„) EBRAHIM SAMANTER. } Makail.
(„) GHIS AGENT & SON. }
(„) JAMA EBRAHIM. }
(„) ELUN ROBELAZ. }
(„) JAMA IBRAHIM. }

(„) KALUM SHIMRAKI. } Battula Geniss. Aden.
(„) BO NUR. }
(„) JEMI. }
(„) HINI. }

(Sd.) FARAH NALAYA. } Bandeera.
(„) SAID GOOLADE. }
(„) WURSAMA UMI. }
(„) DOBER SAMANTER. }

(„) JASSEIN OMER. } Ba Azra Musa.
(„) UMI FARAH. }
(„) MAHOMED HASSAN. }
(„) ELMI DUBLA. }
(„) ABDULLA KABILLA. }

} Ayal Ahmed.

(„) WARFA ABTIDONE. } Ba Arab.
(„) BOH ALALI. }

(„) ILMI SHERDONE. } Rer Dallal.
(„) BEGS WARSAMA. }
(„) BONE KHAIR. }
(„) SAMANTER BOH. }

} All of the Jibril Abokr.

Seal of Farah Askar. } Both of Rer Ali. Baghobo
(Sd.) KALINBH MATTAR. }

(„) ALI ABSIYAH. } Both of Rer Mahomed. Baghobo
(„) OMAR ROBBH. }

(„) EGAL HULDEED. } Adon Azra Mahomed Ayra Ayra Musa Ayra Musa.
(„) HIRSI BURED. }
(„) HOOSAIN GUSALI. }
(„) MAHOMED KALILU. }
(„) SEMARTER SAIDLY, his Agents Hassan Ali and Adon Matter. }

On their own behalf. } (Sd.) HASSAN ALI.
(„) ADON MATTR. }

(Sd.) JAMA OMAR (BAJAMI).
(„) BELLA YUNNUS (MAHOMED YAM).

(Sd.) F. M. HUNTER, *Major,*
Political Agent, Somali Coast.

(Sd.) DUFFERIN,
Viceroy and Governor General of Inaia.

This Treaty was ratified by the Viceroy and Governor-General of India in Council at Simla on the fifteenth day of September, A.D. one thousand eight hundred and eighty-six.

(Sd.) H. M. DURAND,
Secretary to the Government of India,
Foreign Department.

Certified that the above is a true copy of the original treaty.

(Sd.) W. J. CUNINGHAM,
Offg. Under-Secretary to the Government of India.

FOREIGN DEPARTMENT,
Simla, the 18th September 1886.

No. XCI.

TREATY with the GADABURSI,—1884.

We, the undersigned Elders of the Gadabursi tribes, are desirous of entering into an agreement with the British Government for the maintenance of our independence, the preservation of order, and other good and sufficient reasons.

Now it is hereby agreed and covenanted as follows :—

1.

The Gadabursi tribe do hereby declare that they are pledged and bound never to cede, sell, mortgage, or otherwise give for occupation, save to the British Government, any portion of the territory presently inhabited by them or being under their control.

2.

All vessels under the British flag shall have free permission to trade at all ports and places in the territories of the Gadabursi tribe.

3.

All British subjects residing in or visiting the territories of the Gadabursi tribe shall enjoy perfect safety and protection, and shall be entitled to travel all over the said limits under the safe conduct of the Elders of the tribe.

4.

The traffic in slaves throughout the territories of the Gadabursi tribe shall cease for ever, and the Commander of any of Her Majesty's vessels, or any other British officer duly authorized, shall have the power of requiring the surrender of any slave and of supporting the demand by force of arms by land and sea.

5.

The British Government shall have the power to appoint an Agent or Agents to reside in the territories of the Gadabursi tribe, and every such Agent shall be treated with respect and consideration, and be entitled to have for his protection such guard as the British Government deem sufficient.

The above written Treaty shall come into force and have effect from the date of signing this agreement.

In token of the conclusion of this lawful and honourable bond, Jama Roblay, Mahomed Ali Balol, Ilmee Warfah (Ughaz' son), Rogay Khairi, Waberi Idlay, Roblay Warfah, Doaly Dilbad, Amir Egal, Gailay, Shirwah Warfah Roblay, Yunus Boh, and Major Frederick Mercer Hunter, the former for themselves, their heirs and successors, and the latter on behalf of the British Government, do each and all in the presence of witnesses affix their signatures, marks or seals, at Zaila, on the eleventh day of December, one thousand eight hundred and eighty-four, corresponding with the twenty-fifth Safar, one thousand three hundred and two.

(Sd). F. M. HUNTER,
Bombay Staff Corps.

Signed in my presence.

(Sd.) PERCY DOWNES,
1st Grade Officer, I. M.

H. E.'s Seals.

(Sd.) DUFFERIN,
Viceroy and Governor-General of India.

This agreement was ratified by the Governor-General of India in Council at Calcutta on the 20th February, one thousand eight hundred and eighty-five.

(Sd.) H. M. DURAND,
Offg. Secretary to the Government of India,
Foreign Department.

Certified that the above is a true copy of the original agreement.

(Sd.) W. LEE-WARNER,
Offg. Under-Secretary to the Government of India,
Foreign Department.

Fort William, the 25th February 1885.

No. XCII.

TREATY with the HABR TOLJAALA,—1884.

We, the undersigned Elders of the Habr Toljaala tribe, are desirous of entering into agreement with the British Government for the maintenance of our independence, the preservation of order, and other good and sufficient reasons.

Now it is hereby agreed and covenanted as follows:—

1.

The Habr Toljaala tribe do hereby declare that they are pledged and bound never to cede, sell, mortgage, or otherwise give for occupation, save to the British Government, any portion of the territory presently inhabited by them or being under their control.

2.

All vessels under the British flag shall have free permission to trade at all ports and places within the territories of the Habr Toljaala, and the tribe is bound to render assistance to any vessel, whether British or belonging to any other nation, that may be wrecked on the above-mentioned shores, and to protect the crew, the passengers, and cargo of such vessel, giving speedy intimation to the Resident at Aden of the circumstances, for which act of friendship and good-will a suitable reward will be given by the British Government.

3.

All British subjects residing in or visiting the territories of the Habr Toljaala tribe shall enjoy perfect safety and protection, and shall be entitled to travel all over the said limits under the safe conduct of the Elders of the tribe.

4.

The traffic in slaves throughout the territories of the Habr Toljaala shall cease for ever, and the Commander of any of Her Majesty's vessels, or any other British officer duly authorized, shall have the power of requiring the

surrender of any slave and of supporting the demand by force of arms by land and sea.

5.

The British Government shall have the power to appoint an Agent or Agents to reside in the territories of the Habr Toljaala, and every such Agent shall be treated with respect and consideration and be entitled to have for his protection such guard as the British Government deem sufficient.

The above-written Treaty shall come into force and shall have effect from the date of signing this agreement.

In token of the conclusion of this lawful and honourable bond, Birir Shaikh Don, Farah Nalaya, Hirsi Bailay, Ahmed Jama, Ali Awadh, Awadh Gaidee, Ashoor Goraya, Guday Awadh, Adan Warsama, all of the Yusuf sub-tribe,—Abdulla Mahomed, Adan Mahomed, Adan Awadh, Farah Osman Yusuf Adan, Adan Yusuf, Hassan Mahomed, Hassan Ali, Hassan Gulaid Jama Abdy, all of the Adan Madoba sub-tribe,—Ali Ahmed, Mahomed Ali Husain Abdy, Esa Abdy, Yussuf Adan, all of the Rerdod sub-tribe,—Awadh Ali, Farah Abdy, Ahmed Noh, Ahmed Doaly, Ahmed Farah, Hassan Abdy, Hawadlay Mahomed, all of the Sambur sub-tribe,—Mahomed Ali, Jibril Mahomed, Ahmed Husain, Shermaki Ali, Mahomed Ismail, Ismail Mahomed, Mahomed Ali, Hassan Mahomed, all of the Musa Bukr, and Major Frederick Mercer Hunter, Assistant Political Resident, Aden, the former for themselves, their heirs and successors, and the latter on behalf of the British Government, do each and all in the presence of witnesses affix their signatures, marks or seals, at Aden, on the twenty-sixth day of December, one thousand eight hundred and eighty-four, corresponding with the ninth of Rabia-al-Awal, one thousand three hundred and two.

(Sd.) F. M. HUNTER.

Witness :

(Sd.) E. CRANDFIELD.

H. E.'s Seal.

(Sd.) DUFFERIN,

Viceroy and Governor-General of India.

This agreement was ratified by the Governor-General of India in Council at Calcutta on the 25th of February, one thousand eight hundred and eighty-five.

(Sd.) H. M. DURAND,

Offg. Secretary to the Government of India,

Foreign Department.

Certified that the above is a true copy of the original agreement.

(Sd.) W. LEE-WARNER,

Offg. Under-Secretary to the Government of India.

Fort William, the 28th February 1885.

No. XCIII.

SUPPLEMENTARY GENERAL TREATY with the HABR TOLJA ALA,—1886.

The British Government and the Elders of the Habr Toljaala tribe who have signed this agreement being desirous of maintaining and strengthening the relations of peace and freindship existing between them :

The British Government have named and appointed Major Frederick Mercer Hunter, C.S.I., Political Agent for the Somali Coast, to conclude a Treaty for this purpose.

The said Major F. M. Hunter and the said Elders of the Habr Toljaala have agreed upon and concluded the following Articles :—

ARTICLE 1.

The British Government, in compliance with the wish of the undersigned Elders of the Habr Toljaala, hereby undertakes to extend to them and to the territories under their authority and jurisdiction the gracious favour and protection of Her Majesty the Queen-Empress.

ARTICLE 2.

The said Elders of the Habr Toljaala agree and promise to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or power, except with the knowledge and sanction of Her Majesty's Government.

ARTICLE 3.

This Treaty shall come into operation from the first day of February, one thousand eight hundred and eighty-six.

(Sd.) F. M. HUNTER,
Major,
Political Agent,
Somali Coast.

(Sd.) DUFFERIN,
Viceroy and Governor-General of India.

(Sd.) MAHOMED ABDY,	Occupying Ankor. All of the Rerdod tribe.
(„) ABDY MAHOMED,	
(„) HUNI IBRAHIM,	
(„) ABDY ABOKR,	
(„) MUSA ABDY,	
(„) FARAH ABOKR,	Occupying Rakhuda. All of the Sambur tribe.
(„) AHMED ABOKR	
(„) HUSAIN ABOKR,	
(„) OMAR ABOKR,	
(„) ABDALLAMAHOMED,	Occupying Amterad. All of the Adan Madoba tribe.
(„) ALI MAHOMED,	
(„) SHINUA YEHIAR,	
(„) GUTALI NUR,	
(„) ABDALLAMAHOMED,	
(„) ASHOOR MUNY,	
(„) JAMA ABDY,	
(„) AHMED GULARD,	
(„) FARAH GUJA,	
(„) MAHOMED AHMED.	
(„) ALI AHMED,	
(„) HASSAN FARAH,	
(„) ALI YUSUF,	
(„) ALI NUR,	
(„) JAMA ADAN,	Occupying Karram. All of the Yussub tribe.
(„) ASHOORD GONANJA,	
(„) FARAH AHMED,	
(„) EGAL DOALY,	
(„) AWADH HADAY,	
(„) HUSSAN MAGAN,	
(„) ADAN WARSAMA,	
(„) AHMED ALI,	
(„) HASSAN SAID,	Occupying Hais All of the Abder Rahmin sub-tribe.
(„) MAHOMED ISMAIL,	
(„) JEBRIL MAHOMED,	
(„) AHMED ALI MAGAN,	
(„) JEBRIL ALI,	
(„) ABDULLA HASSAN,	

This Treaty was ratified by the Viceroy and Governor-General of India in Council at Simla on the sixteenth day of July, A.D. one thousand eight hundred and eighty-six.

(Sd.) H. M. DURAND,
Secretary to the Government of India
Foreign Department.

Certified that the above is a true copy of the original Treaty.

(Sd.) W. J. CUNINGHAM,
Offg. Under-Secretary to the Government of India,
Foreign Department.

Simla, the 20th July 1886.

No. XCIV.

TREATY with the EESA TRIBE,—1884.

We, the undersigned Elders of the Eesa tribe, are desirous of entering into an agreement with the British Government for the maintenance of our independence, the preservation of order, and other good and sufficient reasons.

Now it is hereby agreed and covenanted as follows :—

1.

The Eesa tribe do hereby declare that they are pledged and bound never to cede, sell, mortgage, or otherwise give for occupation, save to the British Government, any portion of the territory presently inhabited by them or being under their control.

2.

All vessels under the British flag, shall have free permission to trade at all ports and places within the territories of the Eesa tribe.

3.

All British subjects residing in or visiting the territories of the Eesa tribe shall enjoy perfect safety and protection, and shall be entitled to travel all over the said limits under the safe conduct of the Elders of the tribe.

4.

The traffic in slaves throughout the territories of the Eesa tribe shall cease for ever, and the Commander of any of Her Majesty's vessels, or any other British officer duly authorized, shall have the power of requiring the surrender of any slave and of supporting the demand by force of arms by land and sea.

5.

The British Government shall have the power to appoint an Agent or Agents to reside in the territories of the Eesa tribe, and every such Agent

shall be treated with respect and consideration, and be entitled to have for his protection such guard as the British Government deem sufficient.

The above-written Treaty shall come into force and have effect from the date of signing this agreement.

In token of the conclusion of this lawful and honourable bond, Ali Girdone, Waberi, Adan, Warsama Idlay, Fadhl Mahomed, Boh Molla Ali Shirdone, Nagaya Bidar, Samanter Roblay, Gaillay Ishak, Weil Mahomed, Yunus Fahia, Girhi Eqal, Mahomed Bergel, Burray Awadh, Ali Karrati, Khairulla Magan, Boh Hirsee, Abdalla Ali, Ali Idris, Shirdone Samaduder, Rogay Kayat, and Major Frederick Mercer Hunter, Assistant Political Resident at Aden, the former for themselves, their heirs and successors, and the latter on behalf of the British Government, do each and all in the presence of witnesses affix their signatures, marks or seals, at Zaila, on the thirty-first day of December, one thousand eight hundred and eighty-four, corresponding with the thirteeth Rabia-al-Awal, one thousand three hundred and two.

(Sd.) F. M. HUNTER,
Major.

Witness :

(Sd.) M. EDWARDS, *Captain, I. M.,*
Commanding I. M. S. "Amberwitch."

(Sd.) DUFFERIN,
Viceroy and Governor-General of India.

This Treaty was ratified by the Viceroy and Governor-General of India in Council at Simla on the twentieth day of May, A. D. one thousand eight hundred and eighty-five.

(Sd.) H. M. DURAND,
Secretary to the Government of India,
Foreign Department.

Certified that the above is a true copy of the original Treaty.

(Sd.) W. J. CUNINGHAM,
Offg. Under-Secretary to the Government of India,
Foreign Department.

SIMLA,
The 22nd May 1885.

No. XCV.

Treaty with the Habr Gerhajis,—1885.

We, the undersigned Elders of the Habr Gerhajis tribe, are desirous of entering into an agreement with the British Government for the maintenance of our independence, the preservation of order, and other good and sufficient reasons.

Now it is hereby agreed and covenanted as follows : —

1.

The Habr Gerhajis tribe do hereby declare that they are pledged and bound never to cede, sell, mortgage, or otherwise give for occupation, save to the British Government, any portion of the territory presently inhabited by them or being under their control.

2.

All vessels under the British flag shall have free permission to trade at all ports and places within the territories of the Habr Gerhajis, and the tribe is bound to render assistance to any vessel, whether British or belonging to any other nation, that may be wrecked on the above-mentioned shores and to protect the crew, the passengers, and cargo of such vessel, giving speedy intimation to the Resident at Aden of the circumstances, for which act of friendship and good-will a suitable reward will be given by the British Government.

3.

All British subjects residing in or visiting the territories of the Habr Gerhajis tribe shall enjoy perfect safety and protection, and shall be entitled to travel all over the said limits under the safe conduct of the Elders of the tribe.

4.

The traffic in slaves throughout the territories of the Habr Gerhajis tribe shall cease for ever, and the Commander of any of Her Majesty's vessels, or any other British officer duly authorized, shall have the power of requiring the surrender of any slave and of supporting the demand by force of arms by land and sea.

5.

The British Government shall have the power to appoint an Agent or Agents to reside in the territories of the Habr Gerhajis tribe, and every such Agent shall be treated with respect and consideration, and be entitled to have for his protection such guard as the British Government deem sufficient.

The above-written Treaty shall come into force and have effect from the date of signing this agreement.

In token of the conclusion of this lawful and honourable bond, Ahmed Ali Hassan Yussuf, Said Mahomed, Mahamed Jees, Abdy Hassan Mohomed

Ahmed Ali Nur, Nur Hirsee (all of the Jibril Adan residing at Mait and Ras Katib), Doaly Ahmed (of the Mahomed Adan residing at Mait), Hassan Abdullah (of the Ali Said residing at Mait and Ras Katib), Ahmed Saleh, Hagar Araly, Husain Saleh, Ali Ismail, Said Ahmed. Ali Aman (all of the Yunus Ismail residing at Hashow), Ismail Ali, Eesa Hassan, Mussa Abdalla (all of Mahomed Adan residing at Shall'ao), and Major Frederick Mercer Hunter, Assistant Political Resident at Aden, the former for themselves, their heirs and successors, and the latter on behalf of the British Government, do each and all in the presence of witnesses affix their signatures. marks or seals, at Aden, this thirteenth day of January, one thousand eight hundred and eighty-five. corresponding with the twenty-eighth Rabi-al-Awal, one thousand three hundred and two.

(Sd.) F. M. HUNTER, *Major.*

Witness :

(Sd.) EDWARD CRANDFIELD.

(Sd.) DUFFERIN,

H. E.'s Seal.

Viceroy and Governor-General of India.

This agreement was ratified by the Governor-General of India in Council at Calcutta on the twenty-fifth day of February, A. D. one thousand eight hundred and eighty-five.

(Sd.) H. M. DURAND,

Offg. Secretary to the Government of India,

Foreign Department.

Certified that above is a true copy of the original agreement.

(Sd.) W. LEE-WARNER,

Offg. Under-Secretary to the Government of India,

Foreign Department.

FORT WILLIAM,

The 28th February 1885.

No. XCVI.

SUPPLEMENTARY GENERAL TREATY with the HABR GERHAJIS,—1886.

The British Government and the Elders of the Habr Gerhajis tribe who have signed this agreement being desirous of maintaining and strengthening the relations of peace and friendship existing between them :

The British Government have named and appointed Major Frederick Mercer Hunter, C.S.J., Political Agent for the Somali Coast, to conclude a Treaty for this purpose.

The said Major Frederick Mercer Hunter and the said Elders of the Habr Gerhajis have agreed upon and concluded the following Articles:—

ARTICLE 1.

The British Government, in compliance with the wish of the undersigned Elders of the Habr Gerhajis, hereby undertakes to extend to them and to the territories under their authority and jurisdiction the gracious favour and protection of Her Majesty the Queen-Empress.

ARTICLE 2.

The said Elders of the Habr Gerhajis agree and promise to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or power, except with the knowledge and sanction of Her Majesty's Government.

ARTICLE 3.

This Treaty shall come into operation upon the first day of February, one thousand eight hundred and eighty-six.

	(Sd.) DOALY AHMED, of the Mahomed Adan tribe,	Occupying Mait and Ras Katib.
	(„) MAHOMED ALI, of the Ali Said tribe,	
	(„) ADAM MAHOMED, of the Saad Yuu tribe, occupying Hashow.	
(Sd.) F. M. HUNTER, *Major, Political Agent, Somali Coast.*	(„) HASSAN YUSSUF,	Occupying Mait and Ras Katib.
	(„) ALI NUR,	
	(„) DOALY ALI,	
	(„) MAHOMED GEES,	
	(„) ABDY HASSAN,	
	(„) MAHOMED AHMED,	All of the Ibril Adan tribe.
(Sd.) DUFFERIN, *Viceroy and Governor-General of India.*	(„) MAHOMED HIRSEE,	
	(„) HASSAN MAHOMED,	
	(„) ISMAIL MAHOMED,	
	(„) MAHOMED HIRSEE,	
	(„) ISMAIL ALI,	Occupying Schellao. All of the Musa Assay and Musa Bohi tribes.
	(„) WAIS SALEH,	
	(„) ALI SALEH,	
	(„) MAHOMED NOH,	
	(„) MAHOMED ALEALIA.	

This Treaty was ratified by the Viceroy and Governor-General of India in Council at Simla on the sixteenth day of July, A. D. one thousand eight hundred and eighty-six.

(Sd.) H. M. DURAND,
Secretary to the Government of India,
Foreign Department.

Certified that the above is a true copy of the original Treaty.

(Sd.) W. J. CUNINGHAM,
Offg. Under-Secretary to the Government of India,
Foreign Department.

Simla, the 20th July 1886.

No. XCVII.

TREATY WITH THE WARSANGLI,—1886.

The British Government and the Elders of the Warsangli tribe who have signed this agreement being desirous of maintaining and strengthening the relations of peace and friendship existing between them:

The British Government have named and appointed Major Frederick Mercer Hunter, C.S.I., Political Agent and Consul for the Somali Coast, to conclude a Treaty for this purpose.

The said Major F. M. Hunter, C.S.I., Political Agent and Consul for the Somali Coast, and the said Elders of the Warsangli have agreed upon and concluded the following Articles:—

ARTICLE 1.

The British Government, in compliance with the wish of the undersigned Elders of the Warsangli, undertakes to extend to them and to the territories

under their authority and jurisdiction the gracious favour and protection of Her Majesty the Queen-Empress.

ARTICLE 2.

The said Elders of the Warsangli agree and promise to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or power, except with the knowledge and sanction of Her Majesty's Government.

ARTICLE 3.

The Warsangli are bound to render assistance to any vessel, whether British or belonging to any other nation, that may be wrecked on the shores under their jurisdiction and control, and to protect the crew, passengers, and cargo of such vessels, giving speedy intimation to the Resident a Aden of the circumstances for which act of friendship and good-will a suitable reward will be given by the British Government.

ARTICLE 4.

The traffic in slaves throughout the territories of the Warsangli shall cease for ever, and the Commander of any of Her Majesty's vessels, or any other British officer duly authorized, shall have the power of requiring the surrender of any slave and of supporting the demand by force of arms by land and sea.

ARTICLE 5.

The British Government shall have the power to appoint an Agent or Agents to reside in the territories of the Warsangli, and every such Agent shall be treated with respect and consideration, and be entitled to have for his protection such guard as the British Government deem sufficient.

ARTICLE 6.

The Warsangli hereby engage to assist all British officers in the execution of such duties as may be assigned to them; and further to act upon their advice in matters relating to the administration of justice, the development of the resources of the country, the interests of commerce, or in any other matter in relation to peace, order, and good government and the general progress of civilization.

ARTICLE 7.

This Treaty to come into operation from the twenty-seventh day of

January, one thousand eight hundred and eighty-six, on which date it was signed at Bander Gori by the undermentioned.

MAHOMED his mark — MAHMUD ALI, GERAD of all the Warsangli.

JAMA his mark — MAHMUD GERAD.

MAHOMED his mark — IBRAHIM GERAD.

OMAR his mark — AHMED GERAD.

MAHMUD his mark — ABDALLAH GERAD.

YUSSUF his mark — MAHMUD GERAD.

NUR his mark — ABDALLA.

EESA his mark — ADAM.

MAHAMED his mark — ALI SHIRWA.

ABDY his mark — NUR.

All of the Ayal Fatih sub-tribe.

MAHOMED his × mark — ABDY NALAYA.

MAHMUD his — mark — SAGULLAY

ABDALLAH his × mark — SAGULLAY.

MAHOMED his mark — ABDALLAH.

All of the Ogais Lebay sub-tribe.

Witness :
(Sd.) ALI JAFFER.

(Sd.) F. M. HUNTER.

Witness :—

(Sd.) J. H. RAINIER,
Commander, Royal Navy.

(Sd.) DUFFERIN,
Viceroy and Governor-General of India.

This Treaty was ratified by the Viceroy and Governor-General of India in Council at Simla on the 15th day of May, A.D., one thousand eight hundred and eighty-six.

(Sd.) H. M. DURAND,

Secretary to the Government of India,
Foreign Department.

No. XCVIII.

ENGAGEMENT concluded between LIEUTENANT-COLONEL W. L. MEREWETHER, C.B., POLITICAL RESIDENT, ADEN, and SOOLTAN MAHMOOD BIN-YOOSOOF, CHIEF of the MIJJERTEYN TRIBE of SOMALIS and ELDERS of the said TRIBE, —1866.

Influenced by motives of humanity and by a desire to conform to the principles on which the Great English Government is conducted, we lend a willing ear to the proposals of our friend Lieutenant-Colonel William Lockyer Merewether, C.B., Political Resident at Aden, that we should covenant with him and each other to abolish and prohibit the exportation of slaves from any one part of Africa to any other place in Africa or Asia or elsewhere under our authority. We, whose names and seals are set to this bond, do therefore, in the sight of God and of men, solemnly proclaim our intention to prohibit the exportation of slaves from Africa by every means in our power; we will export none ourselves, nor permit our subjects to do so; and any vessel found carrying slaves shall be seized and confiscated, and the slaves shall be released.

Signed this twentieth day of February, one thousand eight hundred and sixty-six (4th of the month Shawal 1282) at Bunder Muraya.

⊙ (Sd.) SOOLTAN MAHMOOD YOOSOOF.

Witnesses to the above:

(Sd.) MOOSA-BIN-YOOSOOF OTHMAN.
(„) SAMUNTAR OTHMAN.
(„) ADREES MAHMOOD.
(„) W. L. MEREWETHER, *Lieut.-Col.*,
Political Resident, Aden.

(True copy.)
(Sd.) W. L. MEREWETHER, *Lieut.-Col.*,
Political Resident, Aden.

Confirmed by order of the Governor-General in Council, dated the 16th May 1866.

No. XCIX.

ENGAGEMENT entered into by the MIJJERTEYN SOMALIS,—1884.

Influenced by motives of friendship and with a desire to conform to the principles on which the Great British Government is conducted, and wishing to preserve peace and to foster security on our shores, we, the Chiefs of the Mijjerteyn Somal, Othman Mahmood, Sultan of the Mijjerteyn tribe, Noor Othman, Ismail Othman, Samunter Othman, Ahmed Mahmood, Hajji Idrees Mahmood, Mahammad Shirwa Noor, Yousuf Mahmood, Yousuf Ali Yousuf, Gulaid Yousuf, and Haji Mahammed Fahiya, Elders, on behalf of ourselves, our heirs and successors, do hereby covenant and agree with our friend Captain James Stewart King, Assistant Resident at Aden, on behalf of the Great British Government:—

ARTICLE 1.

That in the event of any steamer, or ship, or other vessel belonging to the British Government, or to a British subject, or to any other power, or to the subjects of any other power, being wrecked upon our shores or in distress, protection shall be accorded to her and to all on board. and the latter shall receive good treatment.

ARTICLE 2.

That should the master, crew, or passengers of any wreck or casualty wish to proceed to Aden, we will protect them and conduct them thither, or give them the best means in our power of proceeding there.

ARTICLE 3.

That should any steamer, ship, or vessel be wrecked, suffer casualty, or be abandoned, we will not only protect and guard such steamer, ship, or vessel from plunder and wilful damage to our utmost ability, but we will give speedy notice of such wreck to the Political Resident of Aden.

ARTICLE 4.

That such steamer, ship, or vessel will be protected by us as aforesaid until instructions in reply to our said notice are given and received from the Political Resident of Aden.

ARTICLE 5.

That for such acts of good-will and friendship, and as imposing on us, our heirs and successors, the obligation aforementioned, we shall receive from the British Government, conditionally on our good behaviour and so long as we act strictly up to our obligation, a yearly stipend of 360 $ (three hundred and sixty dollars). And we shall also expect to receive such salvage as by any right according to British law we may be entitled to, and according as the

Great British Government, through their representative, the Political Resident of Aden for the time being, may on the merits of each case determine by the custom in such cases.

In token of the conclusion of this lawful and honourable bond, Othman Mahmood, Sultan of the Mijjerteyn tribe, Noor Othman, Ismail Othman, Samuntar Othman, Ahmed Mahmood, Hajji Idrees Mahmood, Mahammad Shirwa Noor, Yousuf Mahmood, Yousuf Ali Yousuf, Gulaid Yousuf and Hajji Mahammad Fahiya, Elders, on behalf of themselves, their heirs and successors.

And Captain James Stewart King, Assistant Resident at Aden, on behalf of the Great British Government,

Do hereby affix their signatures and seal, this first day of May on thousand eight hundred and eighty-four, equivalent to the 5th day of the month Rajab 1301 A. H., at Bunder Muraya.

(Sd.) J. S. KING, *Captain,*
Assistant Resident, Aden.

In presence of:

(Sd.) ANTHONY GWYN, *Captain,*
I. G. S. "*Amberwitch.*"

(Sd.) J. W. YERBURY, *Captain, R.A.*

(Sd.) RIPON,
Viceroy and Governor-General of India.

This agreement was ratified by the Governor-General of India in Council at Simla on the twenty-ninth day of July, A. D. 1884.

(Sd.) C. GRANT,
Secretary to the Government of India,
Foreign Department.

NO. C.

TREATY of AMITY and COMMERCE made and concluded between HIS MAJESTY SAHELA SELASSIE, KING OF SHOA, EFAT and the GALLA, on the one part, and CAPTAIN WILLIAM CORNWALLIS HARRIS, under the authority of HIS EXCELLENCY the GOVERNOR of BOMBAY, in the name and on the behalf of HER MOST GRACIOUS MAJESTY VICTORIA, QUEEN of GREAT BRITAIN, IRELAND, and the INDIES, on the other part,—1849.

Whereas commerce is a source of great wealth and prosperity to all those nations who are firmly united in the bonds of reciprocal friendship, and where-

as the conclusion of a Treaty of perpetual amity and commerce betwixt Shoa and Great Britain, which has already been desired by their respective Sovereigns, would tend to the mutual advantage of both nations, and whereas tokens of amity and good-will have been mutually exchanged between His Majesty of Shoa and Her Britannic Majesty, and whereas it is desirable that the Articles and conditions should be specified, whereupon the desired commercial intercourse betwixt the two nations should be conducted: Now it is hereby declared, done, and agreed as follows:—

ARTICLE 1.

That a firm, free, and lasting friendship shall subsist between His Majesty Sahela Selassie, King of Shoa, Efat, and the Galla, and His lineal successors, and between Her Most Gracious Majesty Victoria, Queen of Great Britain, Ireland and India, and Her lineal successors.

ARTICLE 2.

That for the purpose of preserving and maintaining the friendly relations subsisting between the two nations, His Majesty of Shoa and His lineal successors shall receive and cherish any Ambassador or Envoy whom Her Britannic Majesty and Her lineal successors may see fit to appoint, and shall preserve inviolate all His peculiar rights and privileges.

ARTICLE 3.

That for the like purpose, Her Britannic Majesty and Her lineal successors shall in the same manner receive and cherish any Ambassador or Envoy whom His Majesty of Shoa and His lineal successors may see fit to appoint, and shall equally preserve inviolate all His peculiar rights and privileges.

ARTICLE 4.

That under the following conditions a commercial intercourse be allowed and encouraged betwixt the subjects of Shoa and the countries beyond that kingdom and the subjects of Great Britain.

ARTICLE 5.

That an import duty of five per cent. and no more shall be levied and received by His Majesty of Shoa and His lineal successors upon all British goods and merchandise imported into the kingdom, whether for sale therein or in the countries beyond.

ARTICLE 6.

That this import duty of five per cent. shall be assessed upon the current value of the merchandise at the market-place of Alio Amba, and shall be paid either in kind or in specie at the option of the Merchant.

ARTICLE 7.

That the said import duty having been first duly discharged, the merchant shall be at full liberty either to dispose of his goods within the territories of Shoa without prohibition to the buyer, or to convey them elsewhere without restraint or molestation.

ARTICLE 8.

That British merchants shall be at liberty to purchase within the territories of Shoa all such commodities as they may think proper, whether the produce of those territories, or imported from the countries beyond them, and export the same without the payment of any duty whatsoever.

ARTICLE 9.

That the goods and merchandise of all subjects of Shoa who may visit Great Britain shall in like manner be liable to no greater duties than are already levied, or may hereafter be levied, upon the immediate subjects of Great Britain.

ARTICLE 10.

That in view to the augmentation and promotion of commerce between Shoa and Great Britain, His Majesty of Shoa and His lineal successors shall encourage all merchants to bring the produce of the interior of Africa through the dominions of Shoa, and especially such articles as are best suited to the British market.

ARTICLE 11.

That with a like view Her Britannic Majesty and Her lineal successors will encourage British merchants to import into Shoa such articles as will prove most acceptable within the same.

ARTICLE 12.

That for the better security of merchants and their property, His Majesty of Shoa and His lineal successors and Her Britannic Majesty and Her lineal successors will, respectively, to the utmost of their power, endeavour to keep open and secure the avenues of approach betwixt the sea-coast and Abyssinia.

ARTICLE 13.

That with a view to the promotion and encouragement of reciprocal intercourse between the respective subjects of the two nations, no hinderance or molestation be offered to British travellers, whether residing within the territories of Shoa, or visiting the countries beyond.

ARTICLE 14.

That the effects of such travellers, not intended for sale, shall be liable to no duty of any sort, and shall in every respect be held personal and inviolable

ARTICLE 15.

That in like manner, no subject of Shoa shall meet with any hinderance or obstruction whilst residing in any part of the dominions of Her Most Gracious Majesty Queen Victoria, nor shall he be prevented from proceeding beyond them at pleasure.

ARTICLE 16.

And, lastly, that a strict reciprocal observance of all the foregoing Articles and conditions shall be regarded as a proof of the continued desire on the part of both the contracting Sovereigns for a lasting and permanent friendship.

Made and concluded at Angollallah, the capital of the kingdom of Shoa, on the tenth day of the month Hedar, one thousand eight hundred and thirty four of the Abyssinian era, corresponding with the sixteenth day of November, in the year of our Lord one thousand eight hundred and forty-one, being the twenty-ninth of the reign of His Majesty Sahela Selassie and the fifth of Her Majesty Queen Victoria.

(Sd.) W. C. HARRIS.

(Sd.) SAHELA SELASSIE.

Who is King of Shoa, Efat and the Galla.

PART IV.

TREATIES AND ENGAGEMENTS

relating to

ZANZIBAR.

The island of Zanzibar and the greater part of the eastern coast of Africa were conquered by the Portuguese in the beginning of the sixteenth century. Driven to despair by the tyranny of their rulers, the inhabitants of Mombasa, in 1698, invited the assistance of the Imam of Maskat, who expelled the Portuguese and put many of them to the sword. It was not till 1784, however, in the time of Said bin Ahmad, that the Maskat Arabs established a permanent footing in the island of Zanzibar, and even for many years afterwards, till the accession of Saiyid Said in 1807, the subjection of Zanzibar to them was little more than nominal.

In 1746 the people of Mombasa threw off allegiance to Maskat, elected Shaikh Ahmad as their Sultan, and maintained their independence till 1823, when, fearing the aggression of Saiyid Said, Sulaiman bin Ali Al-Mazrui, the Sultan of Mombasa, with the consent of the people, put himself under British protection. On the 7th February 1824 a convention was concluded with him, by which the port of Mombasa and its dependencies, including the island of Pemba and the coast between Melinda and the river Pangani, were placed under the protectorate of Great Britain. This engagement, however, was not ratified, and in 1828 the ruler of Maskat sent a force against Mombasa, which surrendered to him.

In 1844 Saiyid Said of Maskat appointed his son, Saiyid Khalid, as his deputy and successor in his Zanzibar dominions, which may be roughly defined as extending from Tunghi, the frontier of the Portuguese territory south of Cape Delgado, about 660 miles northward along the coast, and his son, Saiyid Thawaini, as his successor in Maskat. Saiyid Khalid died in 1854, and Saiyid Said appointed a younger son, Saiyid Majid, to succeed him.

On the death of Saiyid Said in 1856, his successor, Saiyid Thawaini of Maskat, laid claim to Zanzibar. He concluded an engagement, however, with his brother, Saiyid Majid, by which the latter was left in possession of the African dominions, subject to an annual payment of 40,000 crowns. A dispute soon arose regarding the nature of this payment, and whether it implied the dependence of Zanzibar on Maskat. War was threatened, but both parties were persuaded to refer the question to the arbitration of the Governor-General of India and to abide by his decision. A commission was appointed to investigate the case. On the evidence obtained by this commission, Lord Canning gave an Award (No. CI), in 1861 to which both parties agreed, *viz.*, that Saiyid Majid should be declared ruler of Zanzibar and the African dominions of the late Saiyid Said, but that he was to make an annual payment in perpetuity to Maskat. This payment was not, however, to be considered as implying the dependence of Zanzibar on Maskat.

On the death of Saiyid Thawaini and succession of Saiyid Salim at Maskat in 1866, Sultan Majid protested against the continuance of the subsidy, on the ground that the engagement was personal to Saiyid Thawani, and that Saiyid Salim, as a parricide, could not legally succeed his father. These arguments were untenable; the former, because by the terms of the award, each successor of Saiyid Thawaini was entitled to claim the subsidy from Zanzibar, and the latter, because Saiyid Salim was *de facto* ruler of Maskat, and had been recognised as such by the British Government. Saiyid Majid was therefore required to pay up the subsidy with arrears; this he expressed his willingness to do through the medium of the British Government. Accordingly, in May 1868, the arrears due to Maskat were paid into the Bombay treasury and made over to Saiyid Salim after deducting the sums advanced to him in anticipation of the payment of the subsidy.

The subsidy, formerly payable by the Sultan of Zanzibar to the Sultan of Maskat under Lord Canning's award, is now paid by the Government of India from Indian revenues.

Saiyid Majid died in October 1870, and was succeeded at Zanzibar by his brother, Saiyid Bargash. In 1859 Saiyid Bargash had openly rebelled against his brother, to whom the aid of British troops was given. He then surrendered and entered into a formal agreement with Saiyid Majid to quit Zanzibar; not to plot against him; and always to act according to the advice of the British Government. After some delay, during which he again endeavoured to resist his brother's authority, Saiyid Bargash proceeded to Bombay. He was subsequently permitted by Saiyid Majid to return to

Zanzibar, and remained there without attempting to weaken his brother's authority, though the latter steadly refused to be reconciled to him, until his accession to power in 1870.

Saiyid Bargash was necessarily considered to be bound by the engagements concluded with his late father, Saiyid Said, which refer to Zanzibar. There was formerly no treaty prohibition regarding the transport of slaves from port to port in the Zanzibar dominions; but in 1863 Saiyid Majid made two concessions, by the first of which he prohibited the transport of slaves from one port in his dominions to another during the slave season, that is, from 1st January to 30th April in each year, and by the second gave authority to British cruisers to seize any slave-carrying vessels unprovided with a custom house manifest, or having on board any slaves in excess of the number stated in the manifest.

In spite of the efforts which Saiyid Majid had made, by the issue of stringent rules and threats of confiscating the vessels of the northern Arabs who visited Zanzibar for the purpose of exporting slaves to the Persian Gulf and Arabia, to check this nefarious traffic, large numbers of slaves were habitually carried off from the east coast of Africa. As, therefore, the existing treaty provisions with the Sultan of Zanzibar for the suppression of the export trade in slaves were found to be insufficient for the attainment of the objects with which those engagements were framed, Sir Bartle Frere was deputed in 1872, as Her Majesty's Special Envoy, with full powers to conclude such arrangements as might be necessary for the effectual suppression of the exportation of slaves from the dominions of the Sultan. Saiyid Bargash, after some discussion, signed a Treaty (No. CII) on the 5th June 1873. Some doubts having arisen as to the interpretation of the first article of this treaty, advantage was taken of the Sultan's presence in London in July 1875 to remove them by a supplementary Treaty (No. CIII) declaratory of the intentions of the parties.

In April 1876 the Sultan issued Proclamations (Nos. CIV and CV) prohibiting the conveyance of slaves by land under any conditions; the arrival of slave caravans from the interior; and the fitting out of slave-hunting expeditions by his subjects.

Commercial treaties were concluded by Saiyid Said, as ruler of Maskat and Zanzibar, with America* in 1833, with Britain† in 1839, and with France‡ in 1844. A commercial treaty was also concluded by Saiyid Majid

* *See* Appendix No. V.
† *See* Appendix No. VI.
‡ *See* Appendix No. VII.

with the Hanseatic Republics* in 1859. In December 1885 Germany concluded a commercial treaty with Sultan Saiyid Bargash; and on the 30th April 1886 Great Britain concluded with Zanzibar a new commercial Treaty (No. CVI) superseding the one that had been framed in 1839, and similar in every respect to that between Germany and Zanzibar.

In 1883 the Zanzibar Agency was transferred to the control of the Secretary of State for Foreign Affairs.

In the year 1884 the attention of the Germans was attracted to the east coast of Africa, and the territories of the Sultan of Zanzibar especially became the object of their designs and colonising projects. Previously to this, however, English enterprise had been directed to the same quarter, and for several years a scheme was contemplated, and had almost been brought into execution, by which the Sultan of Zanzibar was to concede or lease the whole of his dominions upon the mainland to an English company. The project, however, fell through, and in the meanwhile other claims and schemes put forward by German explorers and travellers created a situation of conflicting interests sufficiently serious to demand the intervention of the European governments. It was accordingly decided to appoint an International Commission, consisting of an English, a French, and a German delegate, for the purpose of delimitating the actual dominions of the Sultan of Zanzibar on the mainland, and of thus preparing the way for the demarcation of what subsequently became known as "spheres of influence" on the east coast of Africa. The commission was appointed in 1885 and terminated its labours in June 1886; and upon the basis supplied by their statements and recommendations, the first Anglo-German agreement, to which France gave her adhesion, was published in the following November. It defined the Sultan's dominions on the mainland as extending along a strip of coast line 10 miles deep from the river Roveuna in the south to Kipini in the north, together with certain islands along the same coast and five ports on the Somali coast line. The agreement further established a line of demarcation between the English and German spheres of influence, which were also delimitated inland, the former to the north and the latter to the south.

Negotiations were then started without delay with the object of inducing the Sultan of Zanzibar, Saiyid Bargash, to lease, in the shape of concessions to the English and Germans respectively, the portions of the coast line under his sovereignty which formed the seaward boundary of the British and German spheres of influence. Saiyid Bargash consented in principle, but died, in March 1888, before the concessions had been definitely

* *See* Appendix No. VIII.

concluded: a preliminary concession to the Imperial British East Africa Company had, however, been signed by His Highness in March 1887.

The negotiations were now continued with his brother, Saiyid Khalifa, who succeeded to the throne upon the death of Saiyid Bargash, and both concessions having been finally concluded and signed in due form, the British and German companies began operations in the autumn of 1888.

The assumption of the administration of their coast concession by the Germans was the signal for an immediate and violent outbreak of native hostility. Two German officials were murdered at Kilwa, and their colleagues at other ports with difficulty made good their escape. Bagamoyo and Dares Salam were, however, held by the Germans, and became the head-quarters of operations which were undertaken without delay to reduce the coast line to subjection. The German Government appointed an Imperial commissioner for this purpose; a large number of Soudanese and other mercenary troops were engaged; German men-of-war were sent to co-operate; and for upwards of 18 months continuous and occasionally severe fighting took place. During the year 1889 the British East India squadron was ordered to co-operate with the German squadron for the purpose of establishing a strict blockade along the whole east African coast line, comprised within the Sultan's dominions, against the export of slaves and the import of arms and ammunition. The German coast line was gradually subdued, and in May 1890 the southern ports of Kilwa, Mikindani and Lindi, where a stubborn resistance had been expected, fell into the hands of the Germans, who now once more found themselves masters of the entire coast conceded to them.

In the meantime the Imperial British East Africa Company had proceeded with their administration, and in August 1889 the Sultan, Saiyid Khalifa, made them the further concession of the islands of Lamu, the islands in Manda Bay, and the northern or Somali coast ports. The Germans, however, contested the right of the Sultan to concede the islands of Lamu, Manda, and Patta on the ground that the first had been previously promised to them by the late Sultan, Saiyid Bargash, and that the possession of the other islands by the Sultan of Zanzibar or by the Sultan of Witu, who was under German protection, was a point still requiring decision. The question of Lamu was referred to arbitration and decided in favour of the British Company, while at the same time further negotiations were undertaken between the British and German Governments regarding their respective positions in east Africa.

On the 1st July 1890 these negotiations resulted in a second Anglo-German agreement, of which the most important feature was the declaration

of a British protectorate over the dominions of the Sultan of Zanzibar, with the exception of those situated to the south of the river Umba. It was agreed that these should, with the consent of the Sultan, be purchased outright from His Highness by the German Government. The Germans at the same time agreed to withdraw all claims to the north of the river Umba, and to withdraw their protectorate over the Sultan of Witu in favour of a British protectorate. The formal declaration of the British protectorate was notified in November 1890.

The negotiations regarding the cession to Germany of the southern coast line for a lump payment in money were concluded in November 1890. The final and permanent separation of the German coast line from the Sultanate of Zanzibar took effect from the 1st January 1891.

There is a large Indian community at Zanzibar composed chiefly of Bhattias, Khojas, Bohars and Memons, who practically monopolise the export coast trade. The whole of these Indian residents, with a few exceptions, have a claim to British protection and are amenable to British jurisdiction. The number settled in Zanzibar itself may be estimated at 5,000; those living on the mainland at 2,000 souls. The revenue is almost entirely derived from the customs duties.

The British Agent and Consul-General at Zanzibar is also Consul for the Comoro Islands. His jurisdiction is defined by the Order in Council of 9th August 1866; but this Order in Council, together with the Zanzibar Order in Council of 1881, and the Zanzibar Order in Council (Indian Penal Code) of 1882, were all repealed on the 29th of November 1884 by, and subject to the exceptions and qualifications contained in, the Zanzibar Order in Council of 1884. By Zanzibar Orders in Council of 1888, 1892, 1897 these orders were considerably modified; and the High Court of Bombay was made the High Court of Zanzibar.

Saiyid Khalifa died in February 1890, and was succeeded by his brother, Saiyid Ali bin Said. One of his first acts after his succession was to issue a Decree (No. CVII), dated the 1st August 1890, directed towards the total abolition of slavery. He was invested with the insignia of a Knight Grand Commander of the Star of India in November 1890.

By an Order in Council, 1902, a Court of Appeal for eastern Africa was established to sit at Zanzibar, or elsewhere, to hear all appeals from the East African Protectorate, Uganda, and British Central Africa.

To the British court also pertains admiralty jurisdiction with reference to slave trade, and it is a naval prize court by virtue of the Zanzibar (Prize Court) Order in Council of 1888.

In March 1893, the Sultan, Saiyid Ali, died. Khaled bin Bargash, a claimant to the throne, seized the palace, but a force being brought from the British warships he gave himself up.

A brother of the late Sultan, named Abdul Aziz, then residing in Bombay, by order of the Government of India, on hearing of the death of the Sultan, immediately pressed his claim to the right of succession, but Her Majesty's Government decided to recognise Hamid bin Thawaini, and he was placed on the throne. Abdul Aziz appealed to be allowed to return to Zanzibar, but failing to obtain sanction, continued to remain in detention in India, where he received an allowance of Rs. 800 a month from the Sultan of Zanzibar.

In March 1896 Sultan Hamid bin Thawaini died, and was succeeded by Saiyid Hamid bin Muhammad. Khaled again seized the palace with a following of about 500 Arabs and slaves. On his failing to withdraw from the palace within the limit of the time allowed by the authorities, the palace was bombarded by the British warships in the harbour. Many of Khaled's followers were killed, and he in the confusion managed to escape to a German warship, and was conveyed to Dares Salam, where the administration provided for him.

On the 6th April 1897 the legal status of slavery was abolished, and for his loyal co-operation with the British, Her Majesty Queen Victoria conferred on Sultan Saiyid Hamid the Cross of St. Michael and St. George.

On the 18th July 1902 Sultan Saiyid Hamid died, and was succeeded by his son, Saiyid Ali, then a minor. At the time of his father's death Saiyid Ali was on his way back from England, where he had been attending King Edward's Coronation. He had previously spent several years in England, having been educated at Harrow School.

During his minority the government was placed under the control of the First Minister, Mr. A. S. Rogers, who acted as Regent until the 7th June 1905, when Saiyid Ali attained his majority.

In October 1891 the administration was reorganized by Sir Gerald Portal, and General Lloyd Mathews was appointed Prime Minister to the Sultan in January 1892. The 5 per cent. import duty was abolished and to meet the deficit, taxation was applied to registration and liquor licenses.

Zanzibar was made a free port in 1892, and remained so till October 1899, when a 5 per cent. tax *ad valorem* on all imported goods was again introduced.

By a declaration, signed on the 16th December 1892, the Sultan delegated to the British Agent and Consul-General the right to try all cases in which a British subject was plaintiff or accuser, and the defendant or accused a Zanzibar subject, or the subject of a non-Christian State without a treaty.

The British court has also jurisdiction over all slaves originally freed by His Majesty's Agent and Consul-General, but as the legal status of slavery was abolished on the 6th April 1897 by decree of the Sultan, the relations between master and slave are no longer recognised by the Tribunal.

In 1893 the British East African Company relinquished the administrations of Witu and the whole of the late German protectorate, which was placed under the protection of Zanzibar.

On the 11th October 1901 Sir Lloyd Mathews, K.C.M.G., First Minister of the Zanzibar Government, died; and the present Minister, Mr. A. S. Rogers, was appointed in his place on the 1st January 1902.

There is a regular army of about 600 men, including police under the Command of General Raikes.

The population numbers about 250,000, which includes about 10,000 Indians and an equal number of Arabs.

No. CI.

LETTER TO HIS HIGHNESS SYUD MAJEED BIN SAEED OF ZANZIBAR,—1861.

Beloved and Esteemed Friend,—I address Your Highness on the subject of the unhappy differences which have arisen between Yourself and Your Highness's brother the Iman of Muscat, and for the settlement of which Your Highness has engaged to accept the arbitration of the Viceroy and Governor-General of India.

Having regard to the friendly relations which have always existed between the Government of Her Majesty the Queen and the Government of Oman and Zanzibar, and desiring to prevent war between kinsmen, I accepted the charge of arbitration between you, and in order to obtain the fullest knowledge of all the points in dispute, I directed the Government of Bombay to send an officer to Muscat and Zanzibar to make the necessary enquiries. Brigadier Coghlan was selected for this purpose, an officer in whose judgment, intelligence, and impartiality the Government of India reposes the utmost confidence.

Brigadier Coghlan has submitted a full and clear report of all the questions at issue between Your Highness and your brother.

I have given my most careful attention to each of these questions.

The terms of my decision are as follows:—

1st.—That His Highness Syud Majeed be declared ruler of Zanzibar and the African dominions of His late Highness Syud Saeed.

2nd.—That the ruler of Zanzibar pay annually to the ruler of Muscat a subsidy of 40,000 crowns.

3rd.—That His Highness Syud Majeed pay to His Highness Syud Thowaynee the arrears of subsidy for two years or 80,000 crowns.

I am satisfied that these terms are just and honourable to both of you; and as you have deliberately and solemnly accepted my arbitration, I shall expect that you will cheerfully and faithfully abide by them, and that they will be carried out without unnecessary delay.

The annual payment of 40,000 crowns is not to be understood as a recognition of the dependence of Zanzibar upon Muscat, neither is it to be considered as merely personal between Your Highness and your brother Syud Thowaynee. It is to extend to your respective successors, and is to be held to be a final and permanent arrangement, compensating the ruler of Muscat for the abandonment of all claims upon Zanzibar and adjusting the inequality between the two inheritances derived from your father, His late Highness Syud Saeed, the venerated friend of the British Government, which two inheritances are to be henceforward distinct and separate.

I am,
Your Highness's
Sincere friend and well-wisher,
(Sd.) CANNING.

FORT WILLIAM,
The 2nd April 1861.

TRANSLATION of an Arabic letter from HIS HIGHNESS SYUD MAJEED BIN SAEED, SULTAN of ZANZIBAR, to LIEUTENANT-COLONEL C. P. RIGBY, HER MAJESTY'S CONSUL at ZANZIBAR, dated Zanzibar, the 19th day of the month of Zilhej in the year 1277 Hegira, corresponding to the 29th June 1861.

After compliments,—I desire to inform you that I have been very much gratified by the receipt of the letters from His Lordship the Governor-General of India and His Excellency the Governor of Bombay, conveying to me the intelligence of the settlement of the disputes which existed between myself and my brother Thowaynee bin Saeed. And, regarding the decision, that I shall pay to my brother Thowaynee the sum of 40,000 crowns annually, and also the sum of 80,000 crowns on account of arrears for two years, I agree to pay these sums, and I accept and am satisfied with the terms of the decision, and they are binding on me, and it is the desire of the British Government (Javab el Sircar) that each of us, that is, myself and my brother Thowaynee, shall be independent of each other in his own dominions and Sultan over his own subjects, that is to say, that Zanzibar and the Islands (Pemba and Monfea), and the dominions on the continent of Africa dependent upon it, shall be subject to me, and that Muscat and its dependencies with the land of Oman shall be subject to my brother Thowaynee bin Saeed, and that we should dwell in peace and friendly alliance the one with the other, as is customary between brothers. I pray that it may be so, if it please God. I feel very much obliged to the British Government for all its kindness and favour, and for having averted from my dominions disorders and hostilities. During my life-time I shall never forget the kindness which it has shown to me. And now what I desire from you is this, that you will mention to His Lordship the Governor-General of India that he should kindly determine that the payment of the 40,000 crowns per annum to my brother Thowaynee shall be settled as follows, *viz.*, that 20,000 crowns shall be due and payable each year at the "Mousim" (about April, when the south-west monsoon sets in), and that the other 20,000 crowns shall be due and payable each year at the "Damam" (about September-October, when the annual accounts are made up and the revenue from the customs is paid) in like manner as I before agreed to do when I made the arrangement, through my cousin, Mahomed bin Salim, to pay 40,000 crowns annually to Muscat.

And respecting the 80,000 crowns, arrears for two years, that it shall be paid as soon as I can possibly do so.

This I desire, in order that there may be no ground of dispute hereafter.

This is what I wish for from the friendship of the Government.

And for whatsoever you may desire from me the sign is with you.

From the confiding slave in God's mercy—MAJEED BIN SAEED.

Written on the 19th day of the month of Zilhej in the year 1277 of the Hegira, corresponding to the 29th June A. D. 1861.

From the SULTAN of ZANZIBAR, to the RIGHT HONOURABLE the GOVERNOR-GENERAL, dated Zilhej A.H. 1267, corresponding with 25th June 1861.

After usual compliments,—My chief object in addressing this friendly letter to Your Excellency is to enquire after your health. May the Almighty always protect Your Excellency from all evils. As to myself, who am under great obligations to Your Excellency, I beg to state that by the grace of God, and under your auspices, I am in the enjoyment of good health. I offer my prayers to the Almighty for your long life and for the destruction of your enemies. Your Excellency's kind letter reached me at an auspicious time, and I have become fully acquainted with its contents. When I referred to Your Excellency for settlement of the dispute which long existed between myself and my brother Syud Thowaynee bin Saeed, I made up my mind to act up to any award which you might pass on the case. I agree, as directed by Your Excellency, to pay to my said brother the sum of 40,000 crowns annually and 80,000 crowns on account of arrears for the last two years.

Considering me as a sincere friend, Your Excellency will not, I hope, forget me, and I will cheerfully execute any commissions which shall be entrusted to me by Your Excellency.

TO HIS HIGHNESS SYUD BIN SAEED, SULTAN of ZANZIBAR.

Beloved and Esteemed Friend,—I have received with much satisfaction your friendly letter dated 15th Zilhej A.H. 1277. I am gratified to learn that my award for the settlement of the disputes which long existed between yourself and your brother Syud Thowaynee bin Saeed, the ruler of Muscat, has given satisfaction to Your Highness.

The terms of the arbitration will be fulfilled if the sum of 40,000 crowns payable to your brother annually, be paid by two instalments, *viz.*, the first at the Mousim and the second at the Damam.

I beg to express the high consideration I entertain of Your Highness, and to subscribe myself,

Your Highness's sincere friend,

The 22nd August 1861. (Sd.) CANNING.

No. CII.

TREATY between HER MAJESTY and the SULTAN of ZANZIBAR for the suppression of the SLAVE TRADE, signed at ZANZIBAR,—5th June 1873.

In the Name of the Most High God!

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Highness the Seyyid Barghash-bin-Said, Sultan of Zanzibar,

being desirous to give more complete effect to the engagements entered into by the Sultan and his predecessors for the perpetual abolition of the slave trade, they have appointed as their representatives to conclude a new Treaty for this purpose, which shall be binding upon themselves, their heirs and successors, that is to say, Her Majesty the Queen of Great Britain and Ireland has appointed to that end John Kirk, the Agent of the English Government at Zanzibar; and His Highness the Seyyid Barghash, the Sultan of Zanzibar, has appointed to that end Nasir-bin-Said, and the two aforenamed, after having communicated to each other their respective full powers, have agreed upon and concluded the following Articles:—

ARTICLE 1.

The provisions of the existing Treaties having proved ineffectual for preventing the export of slaves from the territories of the Sultan of Zanzibar in Africa, Her Majesty the Queen and His Highness the Sultan above named agree that from this date the export of slaves from the coast of the mainland of Africa, whether destined for transport from one part of the Sultan's dominions to another or for conveyance to foreign parts, shall entirely cease. And His Highness the Sultan binds himself, to the best of his ability, to make an effectual arrangement throughout his dominions to prevent and abolish the same. And any vessels engaged in the transport or conveyance of slaves after this date shall be liable to seizure and condemnation by all such Naval or other Officers or Agents and such Courts as may be authorized for that purpose on the part of Her Majesty.

ARTICLE 2.

His Highness the Sultan engages that all public markets in his dominions for the buying and selling of imported slaves shall be entirely closed.

ARTICLE 3.

His Highness the Sultan above named engages to protect, to the utmost of his ability, all liberated slaves, and to punish severely any attempt to molest them or to reduce them again to slavery.

ARTICLE 4.

Her Britannic Majesty engages that natives of Indian States under British protection shall be prohibited from possessing slaves, and from acquiring any fresh slaves in the meantime, from this date.

ARTICLE 5.

The present Treaty shall be ratified, and the ratifications shall be exchanged, at Zanzibar, as soon as possible, but in any case in the course of the 9th of Rabia-el-Akhir [5th of June, 1873] of the months of the date hereof.*

* The Sultan of Zanzibar's Ratification was attached to the original Treaty. That of Her Majesty was delivered to the Sultan in September 1873.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed their seals to this Treaty, made the 5th of June 1873, corresponding to the 9th of the month Rabia-el-Akhir 1290.

(Sd.) JOHN KIRK,
Political Agent, Zanzibar.

The mean in God's sight,
(Sd.) NASIR-BIN-SAID-BIN-ABDALLAH,
With his own hand.

The humble, the poor,
(Sd.) BARGHASH-BIN-SAID,
With his own hand.

No. CIII.

TREATY between HER MAJESTY and the SULTAN of ZANZIBAR, supplementary to the TREATY for the SUPPRESSION of the SLAVE TRADE of June 5th, 1873.

Signed at London, July 14th, 1875.

[*Ratifications exchanged at Zanzibar, September 20th, 1875.*]

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Highness the Seyyid Barghash-bin-Said, Sultan of Zanzibar, having concluded a Treaty at Zanzibar on the 5th June 1873, corresponding to the 9th of the month of Rabia-el-Akhir A.H. 1290, for the abolition of the slave trade, and whereas doubts have arisen or may arise in regard to the interpretation of that Treaty, Her Britannic Majesty and His Highness the Sultan of Zanzibar have resolved to conclude a further Treaty on this subject, and have for this purpose named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Hon'ble Edward Henry, Earl of Derby, Baron Stanley of Bickerstaffe, a Peer and a Baronet of England, Her Majesty's Principal Secretary of State for Foreign Affairs, &c., &c., &c.;

And His Highness the Seyyid Barghash-bin-Said, Sultan of Zanzibar, Nasir-bin-Said-bin Abdallah;

Who, after having communicated to each other their respective full powers, have agreed upon and concluded the following Articles:—

ARTICLE I.

The presence on board of a vessel of domestic slaves in attendence on or in discharge of the legitimate business of their masters, or of salves *bonâ fide*

employed in the navigation of the vessel, shall in no case of itself justify the seizure and condemnation of the vessel, provided that such slaves are not detained on board against their will. If any such slaves are detained on board against their will they shall be freed, but the vessel shall, nevertheless, not on that account alone be condemned.

ARTICLE 2.

All vessels found conveying slaves (other than domestic slaves in attendance on or in the discharge of the legitimate business of their masters, or slaves *bonâ fide* employed in the navigation of the vessels) to or from any part of His Highness's dominions, or of any foreign country, whether such slaves be destined for sale or not, shall be deemed guilty of carrying on the slave trade, and may be seized by any of Her Majesty's ships of war and condemend by any British Court exercising Admiralty jurisdiction.

ARTICLE 3.

The present Treaty shall be ratified, and the ratification shall be exchanged at Zanzibar as soon as possible.*

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed therto their seals.

Done at London the fourteenth day of July in the year of Grace one thousand eight hundered and seventy-five.

L. S. DERBY.

L. S. NASIR-BIN-SAID-ABDALLAH.

This is ratified.

L. S. BARGHASH-BIN-SAID.

RATIFICATION.

We having seen and considered the Treaty aforesaid, have approved, accepted, and confirmed the same in all and every one of its articles and clauses, as we do by these presents approve, accept, confirm, and ratify it for ourselves, our heirs and successors, engaging and promising upon our Royal

* The Sultan of Zanzibar's Ratification is attached to the original Treaty. That of Her Majesty was delivered to the Sultan in Zanzibar on 20th September 1875.

word that we will sincerely and faithfully perform and observe all and singular the things which are contained and expressed in the Treaty aforesaid, and that we will never suffer the same to be violated by any one or transgressed in any manner as far as it lies in our power. For the greater testimony and validity of all which, we have caused the Great Seal of our United Kingdom of Great Britain and Ireland to be affixed to these presents which we have signed with our Royal hand. Given at our Court at Osborne the twenty-fourth day of July in the year of our Lord eighteen hundred and seventy-five and in the thirty-ninth year of our reign.

(Sd.) VICTORIA R.

On the 20th September 1875 the above Ratification was given in due form to His Highness Syud Barghash at Zanzibar in exchange for His Highness's Ratification attached to the original Treaty.

JOHN KIRK,
His Majesty's Agent and Consul-General.

No. CIV.

PROCLAMATION by the SULTAN of ZANZIBAR, forbidding the CONVEYANCE of SLAVES by LAND,—1876.

In the name of God, the Merciful, the Compassionate!

Seal of H. H. Seyed Barghash.

From BARGHASH BIN SAEED BIN SULTAN.

To all whom it may concern of our friends on the mainland of Africa the Island of Pemba, and elsewhere.

Whereas in disobedience of our orders and in violation of the terms of our treaties with Great Britain, slaves are being constantly conveyed by land from Kilwa for the purpose of being taken to the Island of Pemba. Be it known that we have determined to stop, and by this order do prohibit, all conveyance of slaves by land under any conditions: and we have instructed

our Governors on the coast to seize and imprison those found disobeying this order and to confiscate their slaves.

Published the 22 of Rabea el Awal 1293
(being equivalent to 18th April 1876).

True translation.

(Sd.) JOHN KIRK,
His Majesty's Agent and Consul-General.

No. CV.

PROCLAMATION by the SULTAN of ZANZIBAR, forbidding the ARRIVAL and FITTING out of SLAVE CARAVANS,—1876.

In the name of God, the Merciful, the Compassionate!

Seal of H H. Seyed Barghash.

From BARGHASH BIN SAEED BIN SULTAN.

To all whom it may concern of our friends on the mainland of Africa and elsewhere.

Whereas slaves are being brought down from the lands of Nyassa, of the Yao and other parts to the coast, and there sold to dealers, who take them to Pemba, against our orders and the terms of the treaties with Great Britain. Be it known that we forbid the arrival of slave caravans from the interior, and the fitting out of slave caravans by our subjects, and have given our orders to our Governors accordingly, and all slaves arriving at the coast will be confiscated.

Published the 22 of Rabea el Awal 1293
(being equivalent to 18th April 1876).

True translation.

(Sd.) JOHN KIRK,
His Majesty's Agent and Consul-General.

No. CVI.

TREATY of FRIENDSHIP, COMMERCE, and NAVIGATION between HER MAJESTY and HIS HIGHNESS the SULTAN OF ZANZIBAR,—1886.

Signed at Zanzibar, 30th April 1886.

(Ratifications exchanged at Zanzibar, 17th August 1886.)

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Highness the Saiyid Barghash-bin-Saiyid, Sultan of Zanzibar, being desirous to confirm and strengthen the friendly relations which now subsist between the two countries, and to promote and extend their commercial relations, have named as their Plenipotentiaries to conclude a treaty for this purpose, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, Sir John Kirk, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Her Britannic Majesty's Agent and Consul-General at Zanzibar ;

And His Highness the Sultan of Zanzibar, his Chief Secretary Muhammad bin-Salim-bin-Muhammad-el-Mauli ;

Who, having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE 1.

There shall be perpetual peace and amity between the two High Contracting Parties and their subjects.

ARTICLE 2.

Subjects of Her Britannic Majesty shall enjoy, immediately and unconditionally, throughout the dominions of His Highness the Sultan of Zanzibar, with respect to commerce, shipping, and the exercise of trade, as in every other respect, all the rights, privileges, immunities, advantages, and protection of whatsoever nature which are, or hereafter may be, enjoyed by or accorded to the subjects or citizens of the most favoured nation.

They shall more especially not be liable to other or more onerous duties, imposts, restrictions, or obligations of whatever description than those to which subjects or citizens of the most favoured nation now are, or hereafter may be, subjected.

The rights of the most favoured nation shall also be accorded to subjects of His Highness the Sultan of Zanzibar within the territories of Her Britannic Majesty.

ARTICLE 3.

The High Contracting Parties acknowledge the right of appointing Consular officers to reside in each other's dominions, wherever this may be deemed to be desirable in the interest of commerce or otherwise, and such Consular Officers, together with their Assistants and those in their service, shall enjoy, with regard to their persons and houses, and also in the exercise of their official duties, in addition to the rights herein stipulated, the same honours and privileges as are, or in future shall be, enjoyed by Consular Officers of the most favoured nation. In event of a riot or other disturbance of the public peace, His Highness the Sultan shall provide the British Consular Officers, at their request, with a guard in order to guarantee their safety and the inviolability of the Consular office and dwelling, and shall, at the request of a British Consular officer, place the police force at his disposal to assist in effecting arrests or in the execution of his official duties.

ARTICLE 4.

There shall be perfect freedom of commerce and navigation between the High Contracting Parties ; each shall allow the subjects of the other to enter all ports, creeks, and rivers with their vessels and cargoes, also to travel, reside, pursue commerce, and trade, whether wholesale or retail, in each other's dominions, and therein to hire, purchase, and possess houses, ware-houses, shops, stores, and lands. British subjects shall everywhere be freely permitted, whether personally or by agent, to bargain for, buy, barter, and sell all kinds of goods, articles of import or native production, whether intended for sale within the dominions of His Highness or for export, and to arrange with the owner or his agent regarding the price of all such goods and produce without interference of any sort on the part of the authorities of His Highness.

His Highness the Sultan of Zanzibar binds himself not to allow or recognize the establishment of any kind of monopoly or exclusive privilege of trade within his dominions to any Government, Association, or individual.

ARTICLE 5.

Subjects of Her Britannic Majesty shall be permitted, throughout the dominions of His Highness the Sultan, to acquire, by gift, purchase, intestate succession, or under will, or in any other legal manner, land, houses, and property of every description, whether movable, or immovable to posses the same, and freely to dispose thereof by sale, barter, donation, will, or otherwise.

ARTICLE 6.

With a view to facilitate commerce and for the purpose of regulating and securing the revenue which His Highness the Sultan now derives from the customs and other duties levied on foreign merchandize and on inland produce, the following Regulations containd in Articles 7, 8, 9, 10, 11, and 12 have been agreed upon.

ARTICLE 7.

His Highness the Sultan shall be permitted to levy a duty of entry not exceeding 5 per cent. on the value of all goods and merchandize, of whatever description, imported by sea from foreign countries, and landed at any port in the islands or on the coast of the mainland of Africa within the dominions of His Highness. This duty shall be paid at that port in His Highness's dominions where the goods are first landed, and on payment thereof such goods shall thereafter be exempt, within the Zanzibar dominions, from all other customs duties or taxes levied by or on behalf of the Government of His Highness the Sultan, by whatever names these may be designated, and no higher import duty shall be claimed from British subjects than that which is paid by subjects or citizens of the most favoured nation.

This duty once paid shall cover, from all other charges on the part of His Highness the Sultan, goods of whatever description coming from foreign countries by sea, whether these are intended for local consumption or for transmission elsewhere, in bulk or otherwise, and whether they remain in the state in which they are imported or have been manufactured.

Spirits and spirituous liquors of all kinds imported into the dominions of His Highness the Sultan from abroad shall be subject to an entry or import duty of 25 per cent. *ad valorem*. Beer and wines containing less than 20 per cent. by volume of alcohol are not to be considered or classed as spirituous liquors within the meaning of this Article. These latter, therefore, remain subject to the common entry duty of 5 per cent. *ad valorem*.

There shall, however, be exempted from payment of all duty the following, namely :—

1. All goods and merchandize which, being destined for a foreign port, are transhipped from one vessel to another in any of the ports of His Highness the Sultan of Zanzibar, or which have been for this purpose provisionally landed and deposited in any of the Zanzibar custom-houses to await the arrival of a vessel in which to be reshipped abroad. But goods and merchandize so landed shall be exempted only provided that the consignee or his agent shall have, on the arrival of the ship, handed over the said goods to be kept under Customs seal, and declared them as landed for transhipment, designating at the same time the foreign port of destination ; and also provided that the said goods are actually shipped for the same foreign port as originally declared, within a period not exceeding six months after their first landing, and without having in the interval changed owners.

2. All goods and merchandize which, not being consigned to a port, within the dominions of the Sultan, have been inadvertently landed provided that such goods and merchandize are reshipped on board of the

same vessel and therein are transported abroad. Should, however, such goods or merchandize here spoken of be opened or removed from the custody of the Customs authorities, the full duty shall then be payable on the same.

3. Coals, naval provisions, stores and fittings, the property of Her Majesty's Government, landed in the dominions of His Highness for the use of the ships of Her Majesty's Navy.

4. All goods and merchandize transhipped or landed for the repair of damage caused by stress of weather or other disasters at sea, provided the cargo so discharged shall be reshipped and taken away on board of the same vessel, or if the latter shall have been condemned, or her departure delayed, in any other.

5. Machines and implements for agricultural purposes; also all materials destined for the construction and maintenance of roads, tramways or railroads; and generally all means of conveyance certified by the attestation of a British Consular Officer resident in Zanzibar dominions to be destined for countries inland and west of His Highness's dominions.

ARTICLE 8.

His Highness the Sultan is further permitted to levy a special export duty, but only on the articles and to the amount hereafter stated, on such merchandize and native products coming from his own dominions, or from the interior of Africa, as are included in the annexed Tariff.

This special duty to be levied by and on behalf of His Highness the Sultan shall be paid (if such has not been previously done) at all events previous to the shipment of these articles out of the dominions of His Highness the Sultan. No distinction shall be made whether the said goods and native produce have their origin within the dominions of His Highness the Sultan or come from districts of the African Continent beyond His Highness's frontiers.

But if the special duty on goods and produce above referred to has once been paid, the latter, whether in a raw or manufactured state, shall not be again taxed with other duties or imposts levied by or on behalf of the Government of His Highness the Sultan, but may thereafter be re-landed free at any port in the dominions of His Highness and be exported without further charge, always provided that they have not previously been landed and manufactured in a foreign country.

The High Contracting Parties reserve to themselves the right to claim a revision of the annexed special Tariff, after successive terms of five years, to begin to reckon from the day of the exchange of the ratifications of the Treaty, in order to allow of such alteration, additions, or ammendments being made as experience may have shown to be necessary or desirable.

ARTICLE 9.

It is fully understood by the High Contracting Parties that the special duties referred to in Article 8 to be levied on behalf of His Highness the Sultan shall be in lieu of and as equivalent for—

1. The monopoly rights, which until now His Highness has been authorized by former treaties to exercise over ivory and copal coming from certain districts on the coast. The taxes until now charged on these articles as monoply taxes shall therefore cease and be abolished.

2. The duty of 5 per cent. *ad valorem* or in kind, now levied on goods and produce of the dominions of His Highness the Sultan, and of the interior of Africa, at the first port of His Highness's dominions where such goods happen to be landed, and also the additional taxes which His Highness has for some time levied on certain goods or produce under the denomination of native taxes, are abolished and shall cease.

It is understood that such other goods, merchandize, and produce brought by land from those districts of the African Continent to the west of the dominions of His Highness as are not included in the special Tariff now agreed upon are not liable for duty of any description; they shall, on entering, leaving, and while within the dominions of His Highness, be free from all duties, taxes, and customs of His Highness's Government.

It is also agreed between the High Contracting Parties that British subjects are not liable to be taxed by or on behalf of His Highness the Sultan, or his authorities, with any other duties, customs, or taxes than those before specified in Articles 7 and 8, whether for their persons, houses, lands, or goods.

ARTICLE 10.

It is, however, agreed and understood by the High Contracting Parties that in the event of an arrangement being entered into hereafter between His Highness and the Powers having Treaty relations with Zanzibar, and to which Great Britain shall be a consenting party, whereby vessels entering the port of Zanzibar shall be charged with shipping, tonnage, or harbour dues, such dues to be administered under the control of a special Board for the improvement of the harbour and construction and maintenance of lighthouses, &c., nothing in the aforementioned provisions shall be construed so as to exempt British vessels from payment of such shipping, harbour, or tonnage dues as may hereafter be agreed upon.

ARTICLE 11.

It shall be at the option of the British subject in each case to pay the percentage duties stipulated in Articles 7 and 8 either in cash or, if the nature of the goods allow of it, in kind, by giving up an equivalent amount of the goods or produce.

In the event of payment being made in cash, the value of the merchandize, goods, or produce on which duty is to be levied shall be fixed according to the

ready-money market price ruling at the time when the duty is levied. In the case of foreign imports the value shall be fixed according to the market price at Zanzibar, and in that of native goods and produce by the market price at the place where the merchant shall choose to pay the duty.

In the event of any dispute arising between a British subject and the Custom-house authorities regarding the value of such goods, this shall be determined by reference to two experts, each party nominating one, and the value so ascertained shall be decisive. Should however these experts not be able to agree they shall choose an umpire, whose decision is to be considered final.

ARTICLE 12.

His Highness the Sultan of Zanzibar engages by the present Treaty to provide, and give orders to his officials, that the movement of goods in transit shall not be obstructed or delayed in a vexatious manner by unnecessary Customs formalities and regulations, and that every facility will be given for their transport by land and river, and that, as far as is consistent with the special provisions of this treaty, the principles approved of by the Congo Conference shall be carried out.

His Highness further undertakes to see that a custom-house answering all requirements of commerce be erected at Zanzibar, with stores secure against fire, decay or theft, for the protection of the goods placed therein. The conditions under which goods shall be stored, and the charges to be levied on account thereof, shall be subject to future agreement between His Highness the Sultan and the Representatives of the several Treaty Powers.

ARTICLE 13.

British vessels entering a port in the dominions of His Highness the Sultan of Zanzibar in distress shall receive from the local authorities all necessary aid to enable them to revictual and refit so as to proceed on their voyage.

Should a British vessel be wrecked off the coast of the mainland, or on one of the islands of His Highness's dominions, the authorities of His Highness shall render all assistance in their power to the distressed vessel, in order to save the ship, her cargo, and those on Board; they shall also give aid and protection to persons saved, and shall assist them in reaching the nearest British Consulate; they shall further take every possible care that the goods so recovered are safely stored and kept for the purpose of being handed over to the owner, captain, agent of the ship or British Consul, subject always to rights of salvage.

His Highness's authorities shall further see that the nearest British Consulate is at once informed of such disaster having occurred.

Should a British vessel wrecked on the coast of the mainland or islands within the dominions of the Sultan of Zanzibar, be plundered, the autho-

rities of His Highness shall, as soon as they come to know thereof, render prompt assistance and take measures to pursue and punish the robbers and recover the stolen property. Likewise, should a vessel of His Highness the Sultan of Zanzibar, or of one of his subjects, enter a British port in distress, or be wrecked off the coast of Her Majesty's dominions, the like help and assistance shall be rendered by the British authorities.

ARTICLE 14.

Should sailors or others belonging to a British ship of war, or merchant vessel, desert and take refuge on shore or on board of any of His Highness's ships, the authorities of His Highness the Sultan of Zanzibar shall, upon request of a Consular official, or in his absence of the captain of the ship, take the necessary steps in order to have them arrested and delivered over to the Consular official or to the captain.

In this, however, the Consular officer and captain shall render every assistance.

So also the authorities of His Highness the Sultan, in case of men deserting from ships of His Highness the Sultan, or of his subjects, and who have taken refuge on board of a British vessel in harbour, or in the house of a British subject on shore in Zanzibar, may apply to a British Consular official, or in his absence to the captain or house occupant, who, unless there is reason to the contrary, shall take the necessary steps to cause them to quit the vessel or premises for the purpose of being returned to the captain or the Sultan's authorities.

ARTICLE 15.

In the event of goods or produce the property of or consigned to a British subject being seized as having been landed or passed under a false declaration and for the purpose of fraudulently evading payment of any duty or tax, the matter shall be immediately brought to the notice of the nearest British Consular authority, who shall thereupon enquire into the circumstances, and make such order therein as he shall see fit, with power to condemn and confiscate, either in whole or in part, for the benefit of His Highness the Sultan, the goods so seized, and, in addition, to punish the offender, if a British subject with fine, which fine, if any, shall be paid over to His Highness.

ARTICLE 16.

Subjects of Her Britannic Majesty shall, as regards their person and property, enjoy within the dominions of His Highness the Sultan of Zanzibar the rights of exterritoriality.

The authorities of Highness the Sultan have no right to interfere in disputes between subjects of Her Britannic Majesty amongst themselves, or between them and members of other Christian nations; such questions,

whether of a civil or criminal nature, shall be decided by the competent Consular authorities. The trial, and also the punishment, of all offences and crimes of which British subjects may be accused within the dominions of His Highness the Sultan, also the hearing and settlement of all civil questions, claims, or disputes in which they are the defendants, is expressly reserved to the British Consular authorities and Courts, and removed from the jurisdiction of His Highness the Sultan.

Should disputes arise between a subject of Highness the Sultan, or other non-Christian Power not represented by Consuls at Zanzibar, and a subject of Her Britannic Majesty, in which the British subject is the plaintiff or the complainant, the matter shall be brought before and decided by the highest authority of the Sultan, or some person specially delegated by him for this purpose. The proceedings and final decision in such a case shall not, however, be considered legal unless notice has been given and an opportunity afforded for the British Consul or his substitute to attend at the hearing and final decision.

ARTICLE 17.

Subjects of His Highness the Sultan or any non-Christian nation not represented by Consuls at Zanzibar, who are in the regular service of British subjects, within the dominions of His Highness the Sultan of Zanzibar, shall enjoy the same protection as British subjects themselves. Should they be charged with having committed a crime or serious offence punishable by law, they shall, on sufficient evidence being shown to justify further proceedings, be handed over by their British employers or by order of the British Consuls to the authorities of His Highness the Sultan for trial and punishment.

ARTICLE 18.

Should a subject of Her Majesty, residing in the dominions of His Highness the Sultan of Zanzibar, be adjudicated bankrupt, the British Consul shall take possession of, recover, and realise all available property and assets of such bankrupt, to be dealt with and distributed according to the provisions of British Bankruptcy Law.

ARTICLE 19.

Should a subject of His Highness the Sultan of Zanzibar resist or evade payment of the just and rightful claims of a British subject, the authorities of His Highness the Sultan shall afford to the British creditor every aid and facility in recovering the amount due to him. In like manner the British Consul shall afford every aid and facility to subjects of His Highness the Sultan of Zanzibar in recovering debts justly due to them from a British subject.

ARTICLE 20.

Should a British subject die within the dominions of His Highness the Sultan of Zanzibar, or, dying elsewhere, leave property therein, movable or

immovable, the British Consul shall be authorised to collect, realize, and take possession of the estate of the deceased, to be disposed of according to the provisions of British law.

ARTICLE 21.

The houses, dwellings, warehouses, and other premises of British subjects or of persons actually in their regular service, within the dominions of His Highness the Sultan of Zanzibar, shall not be entered or searched, under any pretext, by the officials of His Highness without the consent of the occupier, unless with the cognizance and assistance of the British Consul or his substitute.

ARTICLE 22.

It is hereby agreed between the two High Contracting Parties that, in the event of an agreement being hereafter arrived at between His Highness the Sultan of Zanzibar and the various Powers with which His Highness shall be in Treaty relations, including Great Britain, which must be a consenting party, whereby the residents of a district or town shall, without distinction of nationality, be made subject to the payment of local taxes for municipal and sanitary purposes, the same to be fixed and administered by or under the control of a special Board, nothing contained in this Treaty shall be understood so as to exempt British residents from the payment of such taxes.

ARTICLE 23.

Subjects of the two High Contracting Parties shall, within the dominions of each other, enjoy freedom of conscience and religious toleration. The free and public exercise of all forms of religion and the right to build edifices for religious worship, and to organize religious missions of all creeds, shall not be restricted or interfered with in any way whatsoever.

Missionaries, scientists, and explorers, with their followers, property and collections, shall likewise be under the especial protection of the High Contracting Parties.

ARTICLE 24.

The stipulations of the present Treaty shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty so far as the laws permit, excepting to those hereinafter named, that is to say, except to—

The Dominion of Canada,	Victoria,
Newfoundland,	Queensland,
The Cape,	Tasmania,
Natal,	South Australia,
New South Wales,	Western Australia,

New Zealand.

Provided always that the stipulations of the present Treaty shall be made applicable to any of the above named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative in Zanzibar to His Highness the Sultan within two years from the date of the exchange of the ratifications of the present Treaty.

ARTICLE 25.

The present Treaty has been executed in quadruplicate, two copies being written in English and two in Arabic. These are understood to be of similar import and signification; in the event, however, of doubt hereafter arising as to the proper interpretation of the English or Arabic text of one or other of the Treaty stipulations, the English text shall be considered decisive. The Treaty shall come into operation on the first day of the next Zanzibar financial year, or, if the ratifications have not been previously exchanged, within one month after the date when this may take place.

ARTICLE 26.

The present Treaty shall remain in force for a period of fifteen years, to reckon from the day of the exchange of ratifications.

It shall be competent for the High Contracting Parties thereafter to move for a revision of the present Treaty, in order to allow of such alterations, additions, or amendments as experience may have shown to be necessary or desirable; but such a motion must be notified by the party claiming a revision one year previous to the expiration of the present Treaty, otherwise what is herein agreed upon shall be considered binding upon both parties for a further period of ten years.

ARTICLE 27.

The present Treaty shall be ratified and the ratifications exchanged at Zanzibar as soon as possible.

In faith whereof the respective Plenipotentiaries have signed this Treaty, and have affixed thereto their seals.

Done in quadruplicate, in the English and Arabic languages, at Zanzibar, the 30th day of April, in the year of our Lord 1886, corresponding with the 25th day of Rejeb of the year of the Hejira 1303.

[L.S.] JOHN KIRK.

[L.S.] Signature in Arabic.

TARIFF.

TARIFF of the special duties referred to in the body of the TREATY which HIS HIGHNESS the SULTAN of ZANZIBAR shall be entitled to levy on such merchandize and produce as are herein named brought to the ports in His Highness's dominions, whether from his own territories or from districts on the African Continent which lie beyond.

1.	Ivory	15 per cent.	*ad valorem.*
2.	Copal	15 „	„
3.	India-rubber	15 „	„
4.	Cloves, without distinction as to origin	30 „	„
5.	Semsem	12 „	„
6.	Orchilla weed coming from the districts between Kismayu and Warsheikh, both ports included	5 „	„
	From all other districts	10 „	„
7.	Ebony	5 „	„
8.	Borties (Zanzibar poles and rafters)	10 „	„
9.	Hides	10 „	„
10.	Rhinoceros horn and hippopotamus teeth	10 „	„
11.	Tortoise shell	10 „	„
12.	Cowry shells	5 „	„
13.	Native tobacco	25 „	„
14.	Chillies	10 „	„
15.	Ground nuts	12 „	„
		Dol. c.	
16.	Indian corn, Caffre corn, mawele, lentils, and all other similar grains and legumes	0 35 per gizla.*	
17.	Rice in husk	0 25 „	
18.	Chiroko	1 10 „	
19.	Camels	2 00 each.	
	Horses	10 00 „	
	Cattle	1 00 „	
	Sheep and goats	0 25 „	

Explanatory Note.

It is fully understood by the High Contracting Parties that—

1. Merchandize and produce of all kinds, originating whether within the Sultanate of Zanzibar or from the territories to the west of His Highness's dependencies on the mainland of Africa, and which are not mentioned in this Tariff, shall be free of any duty.

2. That merchandize and produce included in the special Tariff, imported by sea from a foreign port into the dominions of His Highness the Sultan, shall be liable to pay the import duty of 5 per cent. *ad valorem* only, as is provided in this Treaty.

* This shall be a measure containing 360 lbs. weight of Caffre corn.

3. That should Her Majesty's Government think fit, the produce of estates held by British subjects within the dominions of His Highness the Sultan of Zanzibar previous to the conclusion of this Treaty shall be in no way affected by any of the provisions thereof; but a list of such estates shall in such case be prepared and agreed to.

(Signed) JOHN KIRK.

(Signed) Signature in Arabic.

No. CVII.

DECREE OF THE SULTAN OF ZANZIBAR, IN THE NAME OF GOD, THE MERCIFUL, THE COMPASSIONATE,—1890.

The following Decree is published by us, Seyyed Ali bin Sa'id, Sultan of Zanzibar, and is to be made known to, and to be obeyed by, all our subjects within our dominions from this date:—

Decree.

1. We hereby confirm all former decrees and ordinances made by our predecessors against slavery and the slave trade and declare that whether such decrees have hitherto been put in force or not, they shall for the future be binding on ourselves and on our subjects.

2. We declare that, subject to the conditions stated below all slaves lawfully possessed on this date by our subjects shall remain with their owners as at present. Their status shall be unchanged.

3. We absolutely prohibit, from this date all exchange, sale or purchase of slaves, domestic or otherwise. There shall be no more traffic whatever in slaves of any description. Any houses heretofore kept for traffic in domestic slaves by slave brokers shall be for ever closed, and any person, found acting as a broker for the exchange or sale of slaves shall be liable, under our orders, to severe punishment and to be deported from our dominions. Any Arab, or other of our subjects, hereafter found exchanging, purchasing, obtaining, or selling domestic or other slaves shall be liable, under our orders, to severe punishment, to deportation, and the forfeiture of all his slaves. Any house in which traffic of any kind in any description of slave may take place shall be forfeited.

4. Slaves may be inherited at the death of their owner only by the lawful children of the deceased. If the owner leaves no such children, his slaves shall *ipso facto* become free on the death of their owner.

5. Any Arab, or other of our subjects, who shall habitually ill-treat his slaves, or shall be found in the possession of raw slaves, shall be liable, under our orders, to severe punishment and, in flagrant cases of cruelty, to the forfeiture of all his slaves.

6. Such of our subjects as may marry persons subject to British jurisdiction, as well as the issue of all such marriages, are hereby disabled from holding slaves, and all slaves of such of our subjects as are already so married are now declared to be free.

7. All our subjects who, once slaves, have been freed by British authority, or who have long since been freed by persons subject to British jurisdiction, are hereby disabled from holding slaves, and all slaves of such persons are now declared to be free.

All slaves who, after the date of this decree, may lawfully obtain their freedom are for ever disqualified from holding slaves under pain of severe punishment.

8. Every slave shall be entitled, as a right, at any time henceforth to purchase his freedom at a just and reasonable tariff to be fixed by ourselves and our Arab subjects. The purchase-money on our orders shall be paid by the slave to his owner before a Kadi, who shall at once furnish the slave with a paper of freedom, and such freed slaves shall receive our special protection against ill-treatment. This protection shall also be specially extended to all slaves who may gain their freedom under any of the provisions of this Decree.

9. From the date of this Decree every slave shall have the same rights as any of our other subjects who are not slaves, to bring and prosecute any complaints or claims before our Kadis.

Given under our hand and seal this 15th day of El Hej 1307 at Zanzibar (1st August A.D. 1890).

(Signed) ALI-BIN-SA'ID,
Sultan of Zanzibar.

Seal.

APPENDICES.

TURKISH ARABIA.

APPENDIX No. 1.—*Page 1.*

CAPITULATIONS AND ARTICLES OF PEACE *between Great Britain and the Ottoman Empire, as agreed upon, augmented, and altered at different periods, and finally confirmed by the Treaty of Peace concluded at the Dardanelles, in 1809.**

SULTAN MEHEMED.

MAY HE LIVE FOR EVER!

"*Let everything be observed in conformity to these Capitulations, and contrary thereto let nothing be done.*"

The command, under the sublime and lofty Signet, which imparts sublimity to every place, and under the Imperial and noble Cypher, whose glory is renowned throughout all the world, by the Emperor and Conqueror of the earth, achieved with the assistance of the Omnipotent, and by the special grace of God, is this:

We, who by Divine grace, assistance, will and benevolence, now are the King of Kings of the world, the Prince of Emperors and of every age, the Dispenser of Crowns to Monarchs, and the Champion Sultan Mehemed, Son of Sultan Ibrahim Chan, Son of Sultan Ahmed Chan, Son of Sultan Mahomet Chan, Son of Sultan Murad Chan, Son of Sultan Selim Chan, Son of Sultan Solyman Chan, Son of Sultan Selim Chan.

The most glorious amongst the great Princes professing the faith of Jesus, and the most conspicuous amongst the Potentates of the nation of the Messiah, and the umpire of public differences that exist between Christian nations, clothed with the mantle of magnificence and majesty, Charles the Second, King of England, Scotland, France and Ireland (whose end terminate in bliss!) having sent an Ambassador to the Sublime Porte in the time of our grandfather Sultan Murad (whose tomb be ever resplendent!), of glorious memory and full of divine mercy and pity, with professions of friendship, sincerity, devotion, partiality and benevolence, and demanding that His subjects might be at liberty to come and go into these

* As published by the Levant Company, 1816.

parts which permission was granted to them in the reign of the Monarch aforesaid, in addition to various other special commands, to the end that on coming and going, either by land or sea, in their way, passage and lodging, they might not experience any molestation or hinderance from any one.

He represented, in the reign of our grandfather Sultan Mehemed Chan (whose tomb be ever resplendent!), to our just and overshadowing Porte, his cordial esteem, alliance, sincere friendship and partiality thereto. As such privilege, therefore, had been granted to the Kings and sovereigns of France, Venice and Poland, who profess the most profound devotion for our most eminent throne, and to others between whom and the Sublime Porte there exists a sincere amity and good understanding, so was the same, through friendship, in like manner granted to the said King; and it was granted Him that His subjects and their interpreters might safely and securely come and trade in these our sacred Dominions.

The Capitulations of sublime dignity and our noble commands having been through friendship, thus granted to the Kings aforesaid, and the Queen of the above-mentioned Kingdoms having heretofore also sent a noble personage with presents to this victorious Porte, which is the refuge and retreat of the Kings of the world, the most exalted place, and the asylum of the Emperors of the universe (which gifts were graciously accepted), and She having earnestly implored the privilege in question, Her entreaties were acceded to, and these our high commands conceded to Her.

1. That the English nation and merchants and all other merchants sailing under the English flag, with their ships and vessels, and merchandize of all descriptions, shall and may pass safely by sea, and go and come into our Dominions without any the least prejudice or molestation being given to their persons, property, or effects by any person whatsoever, but that they shall be left in the undisturbed enjoyment of their privileges, and be at liberty to attend to their affairs.

2. That if any of the English coming into our Dominions by land be molested or detained, such persons shall be instantly released without any further obstruction being given to them.

3. The English ships and vessels entering the ports and harbours of our Dominions shall and may at all times safely and securely abide and remain therein, and at their free will and pleasure depart therefrom, without any opposition or hinderance from any one.

4. That if it shall happen that any of their ships suffer by stress of weather, and not be provided with necessary stores and requisites, they shall be assisted by all who happen to be present, whether the crews of our Imperial ships or others, both by sea and land.

5. That being come into the ports and harbours of our Dominions, they shall and may be at liberty to purchase at their pleasure, with their own money, provisions and all other necessary articles, and to provide themselves with water without interruption or hinderance from any one.

6. That if any of their ships be wrecked upon any of the coasts of our Dominions, all Beys, Cadis, Governors, Commandants, and others our servants, who may be near or present, shall give them all help, protection and assistance, and restore to them whatsoever goods and effects may be driven ashore; and in the event of any plunder being committed they shall make diligent search and inquiry to find out the property, which when recovered shall be wholly restored by them.

7. That the merchants, interpreters, brokers, and others of the said nation shall and may, both by sea and land, come into our Dominions, and there trade with the most perfect security; and in coming and going, neither they nor their attendants shall receive any the least obstruction, molestation or injury, either in their persons or property, from the Beys, Cadis, Sea-captains, soldiers and others our slaves.

8. That if an Englishman, either for his own debt, or as surety for another, shall abscond or become bankrupt, the debts shall be demanded from the real debtor only; and unless the creditor be in possession of some security given by another, such person shall not be arrested, nor the payment of such debt be demanded of him.

9. That in all transactions, matters and business occurring between the English and merchants of the countries to them subject, their attendants, interpreters, and brokers, and any other persons in our dominions, with regard to sales and purchases, credits, traffic or security, and all other legal matters, they shall be at liberty to repair to the Judge, and there make a hoget, or public authentic act, with witness, and register the suit, to the end that if in future any difference or dispute shall arise, they may both observe the said register and hoget; and when the suit shall be found conformable thereto, it shall be observed accordingly.

Should no such hoget, however, have been obtained from the Judge, and false witnesses only are produced, their suit shall not be listened to, but justice be always administered according to the legal hoget.

10. That if any shall caluminate an Englishman, by asserting that he hath been injured by him, and producing false witnesses against him, our Judges shall not give ear unto them, but the cause shall be referred to his Ambassador in order to his deciding the same, and that he may always have recourse to his protection.

11. That if an Englishman, having committed an offence, shall make his escape, no other Englishman, not being security for him, shall, under such pretext, be taken or molested.

12. That if an Englishman, or subject of England, be found to be a slave in our States, and be demanded by the English Ambassador or Consul, due inquiry and examination shall be made into the causes thereof, and such person being found to be English shall be immediately released and delivered up to the Ambassador or Consul.

13. That all Englishmen and subjects of England, who shall dwell or reside in our Dominions, whether they be married or single, artisans or merchants, shall be exempt from all tribute.

14. That the English Ambassadors shall and may, at their pleasure, establish Consuls in the ports of Aleppo, Alexandria, Tripoli, Barbary, Tunis, Tripoli of Syria and Barbary, Scio, Smyrna and Egypt, and in like manner remove them, and appoint others in their stead, without any one opposing them.

15. That in all litigations occurring between the English, or subjects of England, and any other persons, the Judges shall not proceed to hear the cause without the presence of an Interpreter, or one of his deputies.

16. That if there happen any suit, or other difference or dispute, amongst the English themselves, the decision thereof shall be left to their own Ambassador or Consul, according to their custom, without the Judge or other Governors our slaves intermeddling therein.

17. That our ships and galleys, and all other vessels, which may fall in with any English ships in the seas of our Dominions shall not give them any molestation, nor detain them by demanding anything, but shall show good and mutual friendship the one to the other without occasioning them any prejudice.

18. That all the Capitulations, privileges, and Articles granted to the French, Venetian, and other Princes, who are in amity with the Sublime Porte, having been in like manner, through favour, granted to the English, by virtue of our special command, the same shall be always observed according to the form and tenor thereof, so that no one in future do presume to violate the same, or act in contravention thereof.

19. That if the corsairs or galliots of the Levant shall be found to have taken any English vessels, or robbed or plundered them of their goods and effects, also if any one shall have forcibly taken anything from the English, all possible diligence and exertion shall be used and employed for the discovery of the property, and inflicting condign punishment on those who may have committed such depredations; and their ships goods, and effects shall be restored to them without delay or intrigue.

20. That all our Beglerbeys, Imperial and private Captains, Governors, Commandants, and other Administrators, shall always strictly observe the tenor of these Imperial Capitulations, and respect the friendship and correspondence established on both sides, every one in particular taking special care not to let anything be done contrary thereto; and as long as the said Monarch shall continue to evince true and sincere friendship, by a strict observance of the Articles and conditions herein stipulated, these Articles and conditions of peace and friendship shall, in like manner, be observed and kept on our part. To the end, therefore, that no act might be committed in contravention thereof, certain clear and distinct Capitulations were conceded in the reign of our late grandfather, of happy memory (whose tomb be ever resplendent!)

Since which, in the time of our said grandfather, of happy memory, Sultan Ahmed (whose tomb be blessed!), James, King of England, sent an Ambassador with letters and presents (which were accepted), and requested

that the friendship and good understanding which existed between Him and the Porte in the days of our grandfather, of happy memory, as also the stipulations and conditions of the august Capitulations, might be ratified and confirmed and certain Articles added thereto, which request being represented to the Imperial Throne, express commands were given that, in consideration of the existing friendship and good understanding, and in conformity to the Capitulations conceded to other Princes in amity with the Sublime Porte, the Articles and stipulations of the sacred Capitulations should be renewed and confirmed, and the tenor thereof be for ever observed, and amongst the Articles added to the Capitulations conceded by the command aforesaid, at the request of the said King, were the following :

21. That duties shall not be demanded or taken of the English, or the merchants sailing under the flag of that nation, on any piastres and sequins they may import into our sacred Dominions, or on those they may transport to any other place.

22. That our Beglerbeys, Judges, Deftedars, and Masters of the mint shall not interpose any hinderance or obstacle thereto, by demanding either dollars or sequins from them, under the pretence of having them recoined and exchanged into other money, nor shall give them any molestation or trouble whatever with regard thereto.

23. That the English nation, and all ships belonging to places subject thereto, shall and may buy, sell, and trade in our sacred Dominions, and (except arms, gunpowder, and other prohibited commodities) load and transport in their ships every kind of merchandize, at their own pleasure, without experiencing any the least obstacle or hinderance from any one ; and their ships and vessels shall and may at all times safely and securely come, abide, and trade in the ports and harbours of our sacred Dominions, and with their own money buy provisions and take in water without any hinderance or molestation from any one.

24. That if an Englishman, or other subject of that nation, shall be involved in any lawsuit or other affair connected with law, the Judge shall not hear nor decide thereon until the Ambassador, Consul, or Interpreter shall be present ; and all suits exceeding the value of 4,000 aspers shall be heard at the Sublime Porte, and nowhere else.

25. That the Consuls appointed by the English Ambassador in our sacred Dominions, for the protection of their merchants, shall never, under any pretence, be imprisoned, nor their houses sealed up, nor themselves sent away ; but all suits or differences in which they may be involved shall be represented to our Sublime Porte, where their Ambassadors will answer for them.

26. That in case any Englishman, or other person subject to that nation or navigating under its flag, should happen to die in our sacred Dominions, our fiscal and other officers shall not, upon pretence of its not being known to whom the property belongs, interpose any opposition or violence, by taking or seizing the effects that may be found at his death, but

they shall be delivered up to such Englishman, whoever he may be, to whom the deceased may have left them by his will; and should he have died intestate, then the property shall be delivered up to the English Consul, or his representative, who may be there present; and in case there be no Consul, or Consular representative, they shall be sequestered by the Judge, in order to his delivering up the whole thereof, whenever any ship shall be sent by the Ambassador to receive the same.

27. That all the privileges and other liberties already conceded, or hereafter to be conceded, to the English and other subjects of that nation sailing under their flag, by divers Imperial commands, shall be always obeyed, and observed, and interpreted in their favour, according to the tenor and true intent and meaning thereof; neither shall any fees be demanded by the fiscal Officers and Judges in the distribution of their property and effects.

28. That the Ambassadors and Consuls shall and may take into their service any Janizary or Interpreter they please without any other Janizary or other of our slaves intruding themselves into their service against their will and consent.

29. That no obstruction or hinderance shall be given to the Ambassadors, Consuls, and other Englishmen who may be desirous of making wine in their own houses for the consumption of themselves and families; neither shall the Janizaries our slaves, or others, presume to demand or exact anything from them, or do them any injustice or injury.

30. That the English merchants having once paid the customs at Constantinople, Aleppo, Alexandria, Scio, Smyrna, and other ports of our sacred Dominions, not an asper more shall be taken or demanded from them at any other place, nor shall any obstacle be interposed to the exit of their merchandize.

31. That having landed the merchandize imported by their ships into our sacred Dominions, and paid in any port the customs thereon, and being obliged, from the impossibility of selling the same there, to transport them to another port, the Commandants or Governors shall not, on the landing of such merchandize, exact from them any new custom or duty thereon, but shall suffer them, freely and unrestrictedly, to trade without any molestation or obstruction whatsoever.

32. That no exercise or duty on animal food shall be demanded of the English or any subjects of that nation.

33. That differences and disputes having heretofore arisen between the Ambassadors of the Queen of England and King of France touching the affair of the Flemish merchants, and both of them having presented memorials at our Imperial stirrup, praying that such of the said merchants as should come into our sacred Dominions might navigate under their flag, hattisheriffs were granted to both parties; but the Captain Pacha, Sinan, the son of Cigala, now deceased, who was formerly Vizier, and well versed in maritime affairs, having represented that it was expedient that such

privilege should be granted to the Queen of England, and that the Flemish merchants should place themselves under Her flag, as also the merchants of the four provinces of Holland, Zealand, Friesland and Guelderland, and all the other Viziers being likewise of opinion that they should all navigate under the Queen's flag, and, like all the other English, pay the consulage and other duties, as well on their own merchandize as on those of others loaded by them in their ships, to the Queen's Ambassadors or Consuls, it was, by express order and Imperial authority, accordingly commanded that the French Ambassador or Consul should never hereafter oppose or intermeddle herein, but in future act conformably to the tenor of the present Capitulation.

After which, another Ambassador arrived from the said Queen, with the gifts and presents sent by Her, which being graciously accepted, the said Ambassador represented that the Queen desired that certain other privileges might be added to the Imperial Capitulations, whereof he furnished a list, one of which was, that certain Capitulations having been granted in the days of our grandfather, of happy memory (whose tomb be ever blessed), to the end that the merchants of Spain, Portugal, Ancona, Sicily, Florence, Catalonia, Flanders and all other merchant-strangers, might go and come to our sacred Dominions, and manage their trade, it was stipulated, in such Capitulations, that they should be at liberty to appoint Consuls; but each nation being unable to defray the charge and maintenance of a Consul, they were left at liberty to place themselves under the flag of any of the Kings in peace and amity with the Sublime Porte, and to have recourse to the protection of any of their Consuls, touching which privilege divers commands and Capitulations were repeatedly granted, and the said merchants having by virtue thereof chosen to navigate under the English flag, and to have recourse in our harbours to the protection of the English Consuls, the French Ambassadors contended that the said merchant-strangers were entitled to the privilege of their Capitulations, and forced them to have recourse in all ports to their Consuls, which being represented by the said nations to our august tribunal, and their cause duly heard and decided, they were, for a second time, left to their free choice, when again having recourse to the protection of the English Ambassadors and Consuls, they were continually molested and opposed by the French Ambassador, which being represented by the English, with a request that we would not accept the Articles added to the French Capitulations respecting the nations of merchant-strangers, but that it should be again inserted in the Capitulations that the said nations should, in the manner prescribed, have recourse to the protection of the English Consuls, and that hereafter they should never be vexed or molested by the French on this point, it was, by the Imperial authority, accordingly commanded that the merchants of the countries aforesaid, should, in the manner prescribed, have recourse to the protection of the English Ambassadors and Consuls, conformably to the Imperial commands to them conceded, and which particular was again registered in the Imperial Capitulations, *viz.*, that there should never be issued any

commands contrary to the tenor of these Capitulations which might tend to the prejudice or breach of our sincere friendship and good understanding; but that on such occasions the cause thereof should first be certified to the Ambassador of England residing at our Sublime Porte, in order to his answering and objecting to anything that might tend to a breach of the Articles of peace.

34. That the English merchants, and other subjects of that nation, shall and may, according to their condition, trade at Aleppo, Egypt, and other ports of our sacred Dominions, on paying (according to ancient custom) a duty of three per cent. on all their merchandize, without being bound to the disbursement of an asper more.

35. That, in addition to the duty hitherto uniformly exacted on all merchandize, laden, imported, and transported in English ships, they shall also pay the whole of the consulage to the English Ambassadors and Consuls.

36. That the English merchants, and all others sailing under their flag, shall and may, freely and unrestrictedly, trade and purchase all sorts of merchadize (prohibited commodities alone excepted), and convey them, either by land or sea, or by way of the river Tanais, to the countries of Muscovy or Russia, and bring back from thence other merchandize into our sacred Dominions for the purposes of traffic, and also transport others to Persia and other conquered countries.

37. That such customs only shall be demanded on the said goods in the conquered countries as have always been received there without anything more being exacted.

38. That should the ships bound for Constantinople be forced by contray winds to put into Caffa, or any other place of those parts and not be disposed to buy or sell anything, no one shall presume forcibly to take out or seize any part of their merchandize, or give to the ships or crews any molestation, or obstruct the vessels that are bound to those ports; but our Governors shall always protect and defend them, and all their crews, goods and effects, and not permit any damage or injury to be done to them: and should they be desirous of purchasing, with their own money, any provisions in the places where they may happen to be, or of hiring any carts or vessels (not before hired by others) for the transportation of their goods, no one shall hinder or obstruct them therein.

39. That customs shall not be demanded or taken on the merchandize brought by them in their ships to Constantinople, or any other port of our sacred Dominions, which they shall not, of their own free-will, land with a view to sale.

40. That on their ships arriving at any port, and landing their goods and merchandizes, they shall and may, after having paid their duties, safely and securely depart without experiencing any molestation or obstruction from any one.

41. That English ships coming into our sacred Dominions, and touching at the ports of Barbary and of the Western Coast, used oftentimes to take on board pilgrims and other Turkish passengers with the intention of landing them at Alexandria and other ports of our sacred Dominions, on their arrival at which ports the Commandants and Governors demanded of them customs on the whole of their goods before they were landed, by reason of which outrage they have forborne receiving on board any more pilgrims, the more so as they were forced to take out of the ships that were bound to Constantinople the merchandize destined for other places besides exacting the duties on those that were not landed: all English ships, therefore, bound to Constantinople, Alexandria, Tripoli or Syria, Scanderoon, or other ports of our sacred Dominions, shall in future be bound to pay duties, according to custom, on such goods only as they shall, of their own free-will, land with a view to sale; and for such merchandize as they shall not discharge, no custom or duty shall be demanded of them, neither shall the least molestation or hinderance be given to them, but they shall and may freely transport them wherever they please.

42. That in case any Englishman, or other person navigating under their flag, should happen to commit manslaughter, or any other crime or be thereby involved in a lawsuit, the Governors in our sacred Dominions shall not proceed to the cause until the Ambassador or Consul shall be present, but they shall hear and decide it together without their presuming to give them any the least molestation, by hearing it alone, contrary to the holy law and these Capitulations.

43. That notwithstanding it is stipulated by the Imperial Capitulations that the merchandize laden on board all English ships proceeding to our sacred Dominions shall moreover pay consulage to the Ambassador or Consul for those goods on which customs are payable, certain Mahometan merchants, Sciots, Franks, and ill-disposed persons object to the payment thereof; wherefore it is hereby commanded that all the merchandize, unto whomsoever belonging, which shall be laden on board their ships, and have been used to pay custom, shall in future pay the consulage without any resistance or opposition.

44. That the English and other merchants, navigating under their flag, who trade to Aleppo, shall pay such customs and other duties on the silks, brought and laden by them on board their ships, as are paid by the French and Venetians, and not one asper more.

45. That the Ambassadors of the King of England, residing at the Sublime Porte, being the representatives of His Majesty, and the interpreters the representatives of the Ambassadors for such matters, therefore, as the latter shall translate or speak, or for whatever sealed letter or memorial they may convey to any place in the name of their Ambassadors, it being found that which they have interpreted or translated is a true interpretation of the words and answers of the Ambassador or Consul, they shall be always free from all imputation of fault or punishment;

and in case they shall commit any offence, our Judges and Governors shall not reprove, beat or put any of the said interpreters in prison, without the knowledge of the Ambassador or Consul.

36. That in case any of the interpreters shall happen to die, if he be an Englishman proceeding from England, all his effects shall be taken possession of by the Ambassador Consul; but should he be a subject of our Dominions, they shall be delivered up to his next heirs; and having no heir they shall be confiscated by our fiscal officers.

And it was expressly commanded and ordained, that the abovementioned Article and privileges should in future be strictly observed and performed, according to the form and tenor thereof.

Since which time an Ambassador from the King of England came to the Sublime Porte, and represented that laws had been oftentimes promulgated contrary to the tenor of the sacred Capitulations, which being produced without their knowledge to our Judges, and the dates of such laws being posterior to those of our Capitulations, the latter could not be carried into execution; his Sovereign therefore wished that such laws might not be executed, but that the Imperial Capitulations should be always observed and maintained according to the form and tenor thereof; all which being represented to the Imperial Throne, such request was acceded to, and, conformably thereto, it was expressly ordained and commanded that all such laws as already had been, or should thereafter be, promulgated contrary to the tenor of these Imperial Capitulations should, when pleaded or quoted before our Judges, never be admitted or carried into execution, but that the said Judges should ever obey and observe the tenor of the Imperial Capitulations. In the time of our glorious forefathers and most august predecessors, of happy memory, therefore, clear and distinct Capitulations was granted, which annulled such laws and directed them to be taken from those who produced them.

After which, Sultan Osman Chan having ascended the Imperial Throne, the King of England sent another Ambassador, with letters and presents, which were graciously accepted, requesting that the Imperial Capitulations granted in splendid and happy times, by the singular justice of our glorious forefathers, and by them confirmed and granted, might be renewed.

And some time after His august coronation, the King of England again sent unto the Sublime Porte one of His most distinguished and wise personages as His Ambassador, with a letter and presents, which were graciously accepted, professing and demonstrating the most sincere friendship for the said Porte; and the said Ambassador having desired, on the part of the King, that the Capitulations granted in the happy time of our glorious forefathers and august predecessors, as also those granted by the aforesaid Sultan, might be renewed and confirmed, and certain important and necessary Articles added to the Imperial Capitulations and that others already granted might be amended and more clearly expressed, such of his request was acceded to, and the Imperial Capitulations granted in the time of our most glorious

and august forefathers were confirmed, the Articles and stipulations renewed, and the conditions and Conventions observed. Whereupon express commands were given that the tenor of the sacred Capitulations should be strictly performed, and that no one should presume to contravene the same. And the said Ambassador having represented and notified to the Subline Throne that Governors and Commandants of many places had, contrary to the tenor of the Imperial Capitulations, molested and vexed with various inventions and innovations the English and other merchants, subjects of that nation, trading to these our sacred Dominions, and desired that they might be prohibited from so doing, and some new Articles be added to the Imperial Capitulations, an Imperial order was accordingly granted, whereby it was expressly commanded that the Articles newly added should be for ever strictly executed without any one ever presuming to violate the same.

47. That whereas the corsairs of Tunis and Barbary having, contrary to the tenor of the Capitulations and our Imperial license, molested the merchants and other subjects of the King of England, as also those of other Kings in amity with the Sublime Porte, and plundered and pillaged their goods and property, it was expressly ordained and commanded that the goods so plundered should be restored and the captives released; and that if after such commands the Tunisians and Algerines should, contrary to the tenor of our Capitulations, again molest the said merchants, and pillage their goods and property, and not restore the same, but convey them to the countries and ports of our sacred Dominions, and especially to Tunis, Barbary, Modon or Coron, the Beglerbeys, Governors and Commandants of such places should, in future, banish and punish them, and not permit them to sell the same.

48. That it is written and registered in the Capitulations that the Governors and officers of Aleppo, and other ports of our sacred Dominions, should not, contrary to the tenor of the said Capitulations, forcibly take from the English merchants any money for their silk, under the pretence of custom or other duty, but that the said merchants should pay for the silk, by them purchased at Aleppo, the same as the French and Venetians do, and no more. Notwithstanding which, the Commandants of Aleppo have, under colour of custom and duty, demanded two and a half per cent. for their silk, and thereby taken their money: wherefore We command that this matter be investigated and inquired into, in order that such money may be refunded to them by those who have taken the same; and for the future the duty exacted from them shall be according to ancient custom, and as the Venetians and French were accustomed to pay, so that not a single asper more be taken by any new imposition.

49. That the merchants of the aforesaid nation, resident at Galata, buy and receive divers goods, wares and merchandizes, and after having paid to our customer the duties thereon, and received a tescare, ascertaining their having paid the same, preparatory to loading such goods in due time on board their ships, it sometimes happens that, in the interim, the customer either dies, or is removed from his situation, and his successor will not accept of

the said tescare, but demands a fresh duty from the said merchants, thereby molesting them in various ways; wherefore We do command that, on its really and truly appearing that they have once paid the duties on the goods purchased, the customer shall receive the said tescare without demanding any fresh duty.

50. That the merchants of the aforesaid nation, after having once paid the duties, and received the tescare, for the camlets, mohair, silk, and other merchandize, purchased by them at Angora, and transported to Constantinople and other ports of our sacred Dominions, and having deposited such goods in their own warehouses, have been again applied to for duties thereon: We do therefore hereby command that they shall no longer be molested or vexed on that head, but that when the said merchants shall be desirous of loading such goods on board their ships, and on its appearing by the tescare that they have already paid the duties thereon, no fresh custom or duty shall be demanded for the said goods, provided that the said merchants do not blend or intermix the goods which have not paid custom with those which have.

51. That the merchants of the aforesaid nation, having once paid the customs on the merchandize imported into Constantinople, and other ports of our sacred Dominions, and on those exported therefrom, as silks, camlets, and other goods, and being unable to sell the said goods, are under the necessity of transporting them to Smyrna, Scio, and other ports; on their arrival there the Governors and custom-house officers of such ports shall always accept their tescares, and forbear exacting any further duty on the said merchandize.

52. That for the goods which the merchants of the nation aforesaid shall bring to Constantinople, and other ports of our sacred Dominions, and for those they shall export from the said places, Mastariagi of Galata and Constantinople shall take their mastaria, according to the old canon and ancient usage, that is to say, for those merchandizes only whereon it was usually paid; but for such merchandizes as have not been accustomsd to pay the same, nothing shall be taken contrary to the said canon, neither shall any innovations be made in future with regard to English merchandize, nor shall one asper more be taken than is warranted by custom.

53. That the merchants of the aforesaid nation shall and may always come and go into the ports and harbours of our sacred Dominions, and trade, without experiencing any obstacle from any one, with the cloths, kersies, spice, tin, lead, and other merchandize they may bring, and, with the exception of prohibited goods, shall and may, in like manner, buy and export all sorts of merchandize without any one presuming to prohibit or molest them; and our customers and other officers, after having received the duties thereon, according to ancient custom and the tenor of these sacred Capitulations, shall not demand of them anything more, touching which point certain clear and distinct Capitulations were granted, to the end that the Beglerbeys and other Commandants, our subjects, as also the Commandants and Lieutenants of our harbours, might always act in conformity to these our Imperial commands, and let nothing be done contrary thereto.

After which, in the time of our uncle, deceased, blessed and translated to Paradise, Sultan Murad Chan (whose tomb be ever resplendent!), the aforesaid King of England sent Sir Sackville Crow, Baronet, as His Ambassador, with a letter and presents, which were graciously accepted; but the time of his embassy being expired, another Ambassador, named Sir Thomas Bendish, arrived, to reside at the Porte in his stead, with His presents and a courteous letter professing the utmost friendship, devotion, and sincerity; and the said Ambassador having brought the Capitulations formerly granted to the English, and required they might be renewed according to custom, he represented the damage and injury sustained by the English contrary to the tenor of various Articles of the Capitulation, *viz.*

That before the English merchants repaired to the custom-house, some one went on board the ship and forcibly took out their goods; and before any price could be fixed on the best and most valuable articles, or the accounts made out, he took and carried them away; and that the said merchants, having punctually paid the duties thereon in one port, and being desirous of transporting the same goods to another port, the customer detained them, and would not suffer them to depart until they had paid the duties a second time: and whereas it is specified in the Capitulations, that in all suits wherein the English are parties, our Judges are not to hear or decide the same, unless their Ambassador or Consul be present; notwithstanding which, our Judges, without the knowledge of their Ambassador, have proceeded to imprison and exact presents from the English merchants, and other subjects of that nation, besides being guilty of other oppressions: and whereas it is further ordered in the Capitulations that no duties shall be taken on such sequins and piastres as by the English merchants shall be brought in, or carried out of, our Imperial Dominions, and that a duty of three per cent. only shall be demanded on their goods; notwithstanding which, the customers have exacted duties on the sequins and dollars, and demanded more duties than were due on the silk bought by them, besides demanding six per cent. on the goods transported from Alexandria to Aleppo, which abuses were heretofore rectified by an express battisheriff; notwithstanding which the English merchants still continued to experience some molestation, by the customers valuing their goods at more than they were worth, so that although it was the custom to receive but three per cent. only, the latter exacted six per cent. from them, and the servants of the custom-house, under colour of certain petty charges, took from them various sums of money, and that a greater number of waiters were put on board their ships than usual, the expenses attending which were a great burthen to the merchants and masters of ships who sustained it.

That the customers, desirous to value goods at more than their worth, were not satisfied with the merchants paying them duties on the same goods at the rate of three per cent., but interposed numerous difficulties and obstacles:

The said Ambassador having requested, therefore, that such abuses might be rectified, and the laws of the Imperial Capitulations be duly

executed, his request was presented to the Imperial Throne, when We were graciously pleased to order:

54. That the English merchants having once paid the duties on their merchandize, at the rate of three per cent., and taken them out of their ships, no one shall demand or exact from them anything more without their consent: and it was moreover expressly commanded that the English merchants should not be molested or vexed, in manner aforesaid, contrary to the Articles of the Capitulations.

Since which, another Ambassador of the King of England, Sir Heneage Finch, Knight, Earl of Winchelsea, Viscount Maidstune, and Baron Fitzherbert of Eastwell, arrived to reside at the Sublime Porte, with presents and a courteous letter, demonstrating His sincere friendship, and professing the utmost cordiality and devotion; which Ambassador also presented the Capitulations, and requested that the most necessary and important Articles thereof might be renewed and confirmed, according to custom, which request was graciously acceded to, and the desired privileges granted to him, *viz.*:

55. That the Imperial fleet, galleys, and other vessels, departing from our sacred Dominions, and falling in with English ships at sea, shall in nowise molest or detain them, nor take from them anything whatsoever, but always show to one another good friendship, without occasioning them the least damage or injury; and notwithstanding it is thus declared in the Imperial Capitulations, the said English ships are still molested by the ships of the Imperial fleet, and by the Beys and Captains who navigate the seas, as also by those of Algiers, Tunis, and Barbary, who, falling in with them whilst sailing from one port to another, detain them for the mere purpose of plunder, under colour of searching for enemy's property, and under that pretence prevent them from prosecuting their voyage: now We do hereby expressly command that the provisions of the old canon be executed at the castles and in the ports only, and nowhere else, and that they shall no longer be liable to any further search or exaction at sea, under colour of search or examination.

56. That the said Ambassador having represented that our customers after having been fully paid the proper duties by the English merchants on their goods, delayed contrary to the Articles and stipulations of the Capitulations, to give them the tescares of the goods for which they had already received the duty, with the sole view of oppressing and doing them injustice; We do hereby strictly command that the said customers do never more delay granting them the tescares, and the goods whereon they have once paid the duty being transported to another port, in consequence of no opportunity of sale having occurred in the former port, entire credit shall be given to the tescares, ascertaining the payment already made, agreeably to the Capitulations granted to them, and no molestation shall be given to them, nor any new duty demanded.

57. That notwithstanding it is stipulated by the Capitulations that the English merchants, and other subjects of that nation, shall and may,

according to their rank and condition, trade to Aleppo, Egypt, and other parts of our Imperial Dominions, and for all their goods, wares, and merchandize pay a duty of three per cent. only, and nothing more, according to ancient custom, the customers have molested the English merchants, with a view to oppress them and the subjects of that nation, on their arrival with their goods laden on board their ships, whether conveyed by sea or land, at our ports and harbours, under pretence of the goods so brought by them not belonging to the English ; and that for goods brought from England they demanded three per cent. only, but for those brought by them from Venice and other ports they exacted more ; wherefore, on this point, let the Imperial Capitulations granted in former times be observed, and our Governors and officers in nowise permit or consent to the same being infringed.

58. That whereas it is specified in the Capitulations that in case an Englishman should become a debtor or surety, or run away or fail, the debt shall be demanded of the debtor; and if the creditor be not in possession of some legal document given by the surety, he shall not be arrested, nor such debt be demanded of him; should an English merchant resident in another country, with the sole view of freeing himself from the payment of a debt, draw a bill of exchange from another merchant, living in Turkey, and the person to whom the same is payable, being a man of power and authority, should molest such merchant who had contracted no debt to the drawer, and oppress him, contrary to law and the sacred Capitulations, by contending that the bill was drawn upon him, and that he was bound to pay the debt of the other merchant; now We do hereby expressly command that no such molestation be given in future, but if such merchants shall accept the bill, they shall proceed in manner and form therein pointed out; but should he refuse to accept it, he shall be liable to no further trouble.

59. That the Interpreters of the English Ambassadors having always been free and exempt from all contributions and impositions whatever, respect shall in future be paid to the Articles of the Capitulations stipulated in ancient times without the fiscal officers intermeddling with the effects of any of the Interpreters who may happen to die, which effects shall be distributed amongst his heirs.

60. That the aforesaid King having been a true friend of our Sublime Porte, His Ambassador, who resides here, shall be allowed ten servants, of any nation whatsoever, who shall be exempt from impositions and in no manner molested.

61. That if any Englishman should turn Turk, and it should be represented and proved that, besides his own goods, he has in his hands any property belonging to another person in England, such property shall be taken from him, and delivered up to the Ambassador or Consul, that they may convey the same to the owner thereof.

The Ambassador of the aforesaid King, who resided in our Sublime Porte, being dead, Sir John Finch Knight, a prudent man, was sent as Ambassador

to the Imperial Throne, and to reside at our Sublime Porte, with a letter and presents, which on arrival and presentation to our glorious and Imperial presence, were graciously accepted; and the said Ambassador having brought with him the sacred Capitulations, heretofore granted by our August Person and represented to Us, on the part of the aforesaid King, His Majesty's desire that they should be renewed and confirmed, according to custom, and certain new Articles added to them; to which request We most graciously acceded, by commanding that such additional Articles be registered in the Imperial Capitulations, of which one was the Imperial command, to which was affixed the hattisheriff, that is, the hand of our deceased glorious father, absolved by God, Sultan Ibrahim (whose soul rest in glory and divine mercy!), in the year 1053—to wit.

62. That for every piece of cloth, called Londra, which, from ancient times, was always brought by the British ships to Alexandria, there should be taken in that place a duty of forty paras, for every piece of kersey six paras, for every bale of hareskins six paras, and for every quaintal of tin and lead, Damascus weight, fifty-seven paras and a half.

63. That on afterwards transporting the said goods from Alexandria to Aleppo, there should be demanded, by the custom-house officers of Aleppo, for every piece of Londra eighty paras, for a piece of kersey eight paras and two aspers, for every bundle of hareskins eight paras and two aspers, and for every Aleppo weight of tin and lead one para.

64. That on the goods purchased by the aforesaid nation at Aleppo, there should be paid for transport duty, on every bale of unbleached linen, cordovans, and chorasani-hindi two dollars and a half, for every bale of cotton yarn one dollar and a quartar, for every bale of galls one quarter, for every bale of silk ten osmans; and for rhubarb and other trifles, and various sorts of drugs, according to a valuation to be made by the appraiser, there should be taken a duty of three per cent.

65. That on carrying the said goods to Alexandria, and there loading them on board their ships, there should be taken for transport duty, on every bale of unbleached linen and cordovans one dollar and a half, for every bale of chorasani-hindi and cotton yarn three-quarters, for every bale of galls one-quarter; and for rhubarb and other trifles, and various sorts of drugs, after a valuation made thereof, there should be taken three-quarters of a piastre; and that for the future no demand whatever to the contrary should be submitted to.

66. That all commands issued by the Chamber contrary to the above-mentioned Articles should not be obeyed; but for the future everything be observed conformably to the tenor of the Capitulations and the Imperial Signet.

67. It being stipulated by the Capitulations that the English merchants shall pay a duty of three per cent. on all goods by them imported and exported without being bound to pay an asper more, and disputes having

arisen with the customers on this head, they shall continue to pay duty as heretofore paid by them, at a rate of three per cent. only, neither more nor less.

68. That for the London and other cloths manufactured in England whether fine or coarse, and of whatsoever price, imported by them into the ports of Constantinople and Galatta, there shall be taken according to the ancient canons, and as they have always hitherto paid, one hundred and forty-four aspers, computing the dollar at eighty aspers and the leoni at seventy, and nothing more shall be exacted from them; but the cloths of Holland and other countries, *viz.*, serges, Londrina scarlets and other cloths, shall pay, for the future, that which hitherto has been the accustomed duty; and at Smyrna likewise shall be paid according to ancient custom, calculated in dollars and leones, for every piece of London or other cloth of English fabric, whether fine or coarse, one hundred and twenty aspers, without an asper more being demanded, or any innovation being made therein.

69. It being registered in the Imperial Capitulations that all suits wherein the English are parties, and exceeding the sum of four thousand aspers, shall be heard in our Sublime Porte, and nowhere else.

That if at any time the Commanders and Governors should arrest any English merchants, or other Englishman, on the point of departure by any ship, by reason of any debt or demand upon him, if the Consul of the place will give bail for him, by offering himself as surety until such suit shall be decided in our Imperial Divan, such person so arrested shall be released, and not imprisoned or prevented from prosecuting his voyage, and they who claim anything from him shall present themselves in our Imperial Divan, and there submit their claims, in order that the Ambassador may furnish an answer thereto. With regard to those for whom the Consul shall not have given bail the Commandant may act as he shall think proper.

70. That all English ships coming to the ports of Constantinople, Alexandria, Smyrna, Cyprus, and other ports of our sacred Dominions, shall pay three hundred aspers for anchorage duty without an asper more being demanded from them.

71. That should any Englishman coming with merchandize turn Turk, and the goods so imported by him be proved to belong to merchants of his own country from whom he had taken them, the whole shall be detained with the ready money, and delivered up to the Ambassador, in order to his transmitting the same to the right owners, without any of our Judges or officers interposing any obstacle or hinderance thereto.

72. That no molestation shall be given to any of the aforesaid nations buying camlets, mohairs, or grogram yarn at Angora and Beghbazar, and desirous of exporting the same from thence, after having paid the duty of three per cent. by any demand of customs for the exportation thereof, neither shall one asper more be demanded of them.

73. That should any suit be instituted by an English merchant for the amount of a debt, and the same be recovered by means of the assistance of

a chiaux, he shall pay him out of the money recovered two per cent., and what is usually paid for fees in the Mehkeme, or Court of Justice, and not an asper more.

74. That the King having always been a friend to the Sublime Porte, out of regard to such good friendship, His Majesty shall and may, with His own money, purchase for his own kitchen, at Smyrna, Salonica, or any other port of our sacred Dominions in fertile and abundant years, and not in times of dearth or scarcity, two cargoes of figs and raisins, and after having paid a duty of three per cent. thereon, no obstacle or hindrance shall be given thereto.

75. That it being represented to us that the English merchants have been accustomed hitherto to pay no custom or scale duty, either on the silks brought by them at Brassa and Constantinople or on those which come from Persia and Georgia, and are purchased by them at Smyrna from the Armenians; if such usage or custom really exists, and the same be not prejudicial to the Empire, such duty shall not be paid in future: and the said Ambassador, having requested that the foregoing Articles might be duly respected and added to the Imperial Capitulations, his request was acceded to; therefore, in the same manner as the Capitulations were heretofore conceded by our Imperial hattisheriff, so are they now in like manner renewed by our Imperial command; wherefore, in conformity to the Imperial Signet, We have again granted these sacred Capitulations, which We command to be observed so long as the said King shall continue to maintain that good friendship and understanding with our Sublime Porte which was mentioned in the happy time of our glorious ancestors, which friendship We on our part accept; and adhering to these Articles and stipulations, We do hereby promise and swear by the one Omnipotent God, the Creator of heaven and earth and of all creatures, that we will permit nothing to be done or transacted contrary to the tenor of the Articles and stipulations heretofore made and these Imperial Capitulations; and accordingly every one is to yield implicit faith and obedience to this our Imperial Signet, affixed in the middle of the month of Gamaziel in the year 1086 (corresponding with the year of our Lord 1675).

Treaty between Great Britain and the Sublime Porte. Concluded at the Dardanelles, the 5th of January 1809.

(*Translation*).

In the name of the Most Merciful God!

Traité entre la Grande Bretagne et la Sublime Porte. Fait près des Chateaux des Dardanelles, le 5 Janvier 1809.

Au Nom de Dieu Très Meséricordieax!

The object of this faithful and authentic instrument is as follows :—

Notwithstanding the appearances of a misunderstanding between the Court of Great Britain and the Sublime Ottoman Porte, consequent upon the occurrences of the moment, the two Powers, equally animated with a sincere desire of re-establishing the ancient friendship which subsisted between them, have named their Plenipotentiaries for that purpose; that is to say, His Most August and Most Honoured Majesty George the Third, King of the United Kingdom of Great Britain and Ireland, has named for His Plenipotentiary, Robert Adair, Esq., one of the Members of the Royal Parliament of Great Britain; and His Majesty the Most Noble, Most Powerful, and Most Magnificent Sultan Mahomet Han II, Emperor of the Ottomans, has named for His Plenipotentiary, Scyde, Mehmed-Emin-Vahid Effendi, Director and Inspector of the Department called "*Mercoufat*," and invested with the rank of "*Nichangi*" of the Imperial Divan; who, having reciprocally communicated to each other their full Powers, after several conferences and discussions, have concluded the peace equally desired by both Powers, and have agreed upon the following Articles :—

1. From the moment of singning the present Treaty, every act of hostility between England and Turkey shall cease; and in furtherance of this happy peace, the prisoners on both sides shall be exchanged without distinction in

L'objet de cet Instrument fidèle et authentique est ce qui suit :—

Nonobstant les apparences d'une mésintelligence survenue à la suite des événemens du temps entre la Cour de la Grande Bretagne et la Sublime Porte Ottomane, ces deux Puissances également animées du désir sincère de rétablir l'ancienne amitié qui subsistait entre Elles, ont nommé pour cet effet Leurs Plénipotentiaires respectifs, savoir : Sa Majesté le Très Auguste et Très Honoré George III, Roi (Padishah) du Royaume Uni de la Grande Bretagne et de l'Irlande a nommé pour Son Plénipotentiaire Robert Adair, Ecuyer, Membre du Parlement Royal de la Grande Bretagne; et Sa Majesté le Très Majestueux, Très Puissant, et Très Magnifique Sultan Mahmoud Han II, Empereur des Ottomans, a nommé pour Son Plénipotentiaire Seyde Mehmed-Emin-Vahid Effendi, Directeur et Inspecteur du Département appelé *Mercoufat*, et revêtu du rang de *Nichangi* du Divan Impérial; lesquel s'étant réciproquement communiqués leurs Pleins pouvoirs ont, après plusieurs conférences et discussions, conclu la paix également désirée des deux Puissances, et sont convenus des Articles suivans :

1. Du moment de la signature du présent Traité, tout acte d'hostilité doit cesser entre l'Angleterre et la Turquie, et les prisonniers de part et d'autre doivent, en vertu de cette heureuse paix, être échangés sans hésitation, en trente-un jours après

thirty-one days from the signature of this Treaty, or sooner if possible.

2. Should any fortresses belonging to the Sublime Porte be in the possession of Great Britain, they shall be restored to the Sublime Porte, and given up, with all the cannons, warlike stores, and other effects in the condition in which they were found at the time of their being occupied by England, and this restitution shall be made in the space of thirty-one days from the signature of the present Treaty.

3. Should there be any effect and property belonging to English merchants under sequestration within the jurisdiction of the Sublime Porte, the same shall be entirely given up and restored to the proprietors; and in like manner should there be any effects, property, and vessels belonging to merchants, subjects of the Sublime Porte, under sequestration at Malta, or in any other islands and possessions of His Britannic Majesty they also shall be entirely given up and restored to their proprietors.

4. The Treaty of Capitulations agreed upon in the Turkish year 1086 (A. D. 1675), in the middle of the month Gemmazi-el-Akir, as also the act relating to the Commerce of the Black Sea, and the other privileges (*Imtiâzat*) equally established by Acts at subsequent periods, shall continue to be observed and maintained as if they had suffered no interruption.

5. In return for the indulgence and good treatment afforded by the Sublime Porte to English

l'époque de la signature de ce Traité, on plus-tôt si faire se pourra.

2 S'il se trouvera des Places appartenantes à la Sublime Porte dans l'occupation de la Grande Bretagne, elles devront être restituées, et remises à la Sublime Porte, avec tous les canons, munitions et autres effets, dans la même condition où elles se trouvaient lors de leur occupation par l'Angleterre, et cette restitution devra se faire dans l'espace de trente-un jours après la signature de ce présent Traité.

3. S'il y aurait des effets et propriétés appartenans aux négocians Anglais en séquestre sous la jurisdiction de la Sublime Porte, ils doivent être entièrement rendus et remis aux propriétaires; et pareillement s'il y aurait des effets, propriétés et vaisseaux appartenans aux négocians et sujets de la Sublime Porte en séquestre à Malte, ou dans les autres îles et Etats de Sa Majesté Britannique, ils doivent également être entièrement rendus et remis à leurs propriétaires.

4. Le Traité des Capitulations stipulé en l'année Turque 1086, à la mi de la lune Gemmaziel Akir, ainsi que l'Acte relatif au commerce de la Mer-Noire et les autres privilèges (*Imtiazat*) également établis par des Actes à des époques subséquentes, doivent être observés et maintenus comme par le passécomme s'ils n'avaient souffert aucune interruption.

5. En vertu du bon traitement et de la faveur accordée par la Sublime Porte aux négocians Anglais, à

merchants, with respect to their goods and property, as well as in all matters tending to facilitate their commerce, England shall reciprocally extend every indulgence and friendly treatment to the flag, subjects, and merchants of the Sublime Porte which may hereafter frequent the Dominions of His Britannic Majesty for the purposes of commerce.

l'egard de leurs marchandises et propriétés, et par rapport à tout ce dont leurs vaissaux ont besoin, ainsi que dans tous les objets tendant à faciliter leur commerce, l'Angleterre accordera réciproquement sa pleine faveur et un traitement amical aux pavillons, sujets et négocians de la Sublime Porte, qui dorénavant fréquenteront les Etats de Sa Majesté Britannique pour y exercer le commerce.

6. The last custom-house tariff established at Constantinople at the ancient rate of 3 per cent., and particularly the Article relating to the interior commerce, shall continue to be observed as they are at present regulated, and to which England promises to conform.

6. Le tarif de la douane qui a été fixe à Constantinople en dernier lieu sur l'ancien taux de 3 pour cent, et spécialement l'Article qui regarde le commerce intérieur, seront observés pour toujours, ainsi qu'ils ont été réglés: c'est à quoi l'Angleterre promet de se conformer.

7. Ambassadors from His Majesty the King of Great Britain shall enjoy all the honours enjoyed by Ambassadors to the Sublime Porte from other nations; and Ambassadors from the Sublime Porte at the Court of London shall reciprocally enjoy all the honours granted to the Ambassadors from Great Britain.

7. Les Ambassadeurs de sa Majesté le Roi de la Grande Bretagne jouiront pleinement des honneurs dont jouissent les Ambassadeurs des autres nations près la Sublime Porte, et réciproquement les Ambassadeurs de la Sublime Porte près la Cour de Londres, jouiront pleinement de tous les honneurs qui seront accordés aux Ambassadeurs de la Grande Bretagne.

8. Consuls (*Shahbenders*) may be appointed at Malta and in the Dominions of His Britannic Majesty where it shall be necessary to manage and superintend the affairs and interests of merchants of the Sublime Porte; and similar privileges and immunities to those granted to English Consuls resident in the Ottoman Dominions shall be duly afforded to the "*Shahbenders*" of the Sublime Porte.

8. Il sera permis de nommer des *Shahbenders* (Consuls) à Malte, et dans les Etats de Sa Majesté Britannique, où il sera nécessaire pour gérer et inspecter les affaires et les intérêts des négocians de la Sublime Porte, et les mêmes traitemens et immunités qui sont pratiqués envers les Consuls d'Angleterre résidans dans les Etats Ottomans, seront exactement observés envers les *Shahbenders* de la Sublime Porte.

9. English Ambassadors and Consuls may supply themselves, according to custom, with such Dragomen as they shall stand in need of; but as it has already been mutually agreed upon that the Sublime Porte shall not grant the "*Barat*" of Dragoman in favour of individuals who do not execute that duty in the place of their destination it is settled, in conformity with this principle, that in future the "*Barat*" shall not be granted to any person of the class of tradesmen or bankers, nor to any shopkeeper or manufacturer in the public markets, or to one who is engaged in any matters of this description; nor shall English Consuls be named from among the subjects of the Sublime Porte.

10. English patents of protection shall not be granted to dependants or merchants who are subjects of the Sublime Porte, nor shall any passport be delivered to such persons, on the part of Ambassadors or Consuls without permission previously obtained from the Sublime Porte.

11. As ships of war have at all times been prohibited from entering the canal of Constantinople, *viz.*, in the Straits of the Dardanelles and of the Black Sea, and as this ancient regulation of the Ottoman Empire is in future to be observed by every Power in time of peace, the Court of Great Britain promises on its part to conform to this principle.

12. The ratifications of the present Treaty of Peace between

9. Les Ambassadeurs et Consuls d'Angleterre pourront selon l'usage se servir des Dragomans dont ils ont besoin: mais comme il a été arrêté ci-devant d'un commun accord que la Sublime Porte n'accordera pas de "*Barat*" de Dragoman en faveur d'individus qui n'exerceront point cette fonction dans le lieu de leur destination, il est convenu, conformément à ce principe, que dorénavant il ne sera accordé de "*Barat*" à personne de la classe des artisans et banquiers, ni à quiconque tiendra de boutique et de fabrique dans les marchés publics, ou qui prêtera la main aux affaires de cette nature; et il ne sera nommé non plus des Consuls Anglais d'entre les sujets de la Sublime Porte.

10. La patente de protection Anglaise ne sera accordée à personne d'entre les dépendans et négocians sujets de la Sublime Porte, et il ne sera livré à ceux-ci aucum passeport * de la part des Ambassadeurs ou Consuls sans la permission préalable de la Sublime Porte.

11. Comme il a été de tout tems défendu aux vaissaux de guerre d'entrer dans le canal de Constantinople, savoir dans le détroit des Dardanelles, et dans celui de la Mer Noire; et comme cette ancienne régle de l'Empire Ottoman doit être de même observé dorénavant en terms de paix vis-à vis de toute Puissance quelconque, la Cour Britannique promet aussi de se conformer à ce principle.

12. Les ratifications du présent Traité de Paix entre les hautes Par-

* Passeport de protection.

the high Contracting Parties shall be exchanged at Constantinople in the space of ninety-one days from the date of this Treaty, or sooner if possible. In faith of which, and in order that the ratification of the twelve Articles of this Treaty (which has been happily concluded by the assistance of God, and in the sincerity and good faith of the Two Parties) may be exchanged; I, Plenipotentiary of the Sublime Porte, have, in virtue of my full powers, signed and sealed this Instrument, which I have delivered to the Plenipotentiary of His Britannic Majesty, in exchange for another Instrument exactly conformable thereto written in the French language, with a translation thereof, which has been delivered to me on his part, agreeably to his full powers.

Done near the Castles of the Dardanelles, the 5th of January 1809, which corresponds with the year of the Hegira 1223, the 19th day of the Moon *Zilkaade.*

(Sd.) SEYD MEHEMMED EMIN VAHID EFFENDI (L.S.).
(Sd.) ROBERT ADAIR (L.S.).

ties Contractantes seront échangées à Constantinople dans l'espace de quatre vingt onze jours, depuis la date du présent Traité, ou plutôt si faire se pourra. En foi de quoi, et afin que la ratification des douze Articles de ce Traité qui vient d'être heureusement conclu avec l'assistance de Dieu, et en vertu de la sincérité et loyauté des deux Parties, puissent être échangées; Moi Plénipotentiaire de la Sublime Porte, ai en vertu de mes Pleins-pouvoirs, signé et cacheté cet Instrument, lequel j'ai remis au Plénipotentiaire Anglais, en échange contre un autre Instrument tout à fait conforme, écrit en langue Françoise, avec sa traduction, qui m'a été remis de sa part, conformément à ses Pleinsponvoirs.

Fait près des Châteaux des Dardanelles, le 5 Janvier 1809, qui correspond à l'an de l'Hegire 1223, le 19 de la Lune *Zilkaade.*

(Signé) SEYD MEHEMMED EMIN VAHID EFFENDI (L.S.)
(Signé) ROBERT ADAIR (L.S.)

APPENDIX No. II.—*Pages 1 and 3.*

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 27th October 1899.

No. 1700-E.A.—The following Order of Her Majesty the Queen in Council, which appeared in the *London Gazette* of the 11th August 1899, is republished for general information:

At the Court at *Osborne House, Isle of Wight*, the 8th day of August 1899.

PRESENT:

The QUEEN'S Most Excellent Majesty.

LORD CHANCELLOR.

LORD PRESIDENT.

LORD JAMES of HEREFORD,

SIR FLEETWOOD EDWARDS.

Whereas by treaty, capitulation, grant, usage, sufferance, and other lawful means, Her Majesty the Queen has jurisdiction within the dominions of the Ottoman Porte:

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf by "The Foreign Jurisdiction Act, 1890," or otherwise in Her Majesty vested, is pleased by and with the advice of Her Privy Council to order, and it is hereby ordered as follows:

PART I.—*Preliminary and General.*

1. This Order is divided into parts, as follows:

Parts.	Subject.	Articles.
I	Preliminary and General	1—6
II	Constitution and Powers of Courts	7—24
III	Criminal matters	25—62
IV	Civil matters	63—135
V	Procedure, Criminal and Civil	136—149
VI	Ottoman and Foreign Subjects and Tribunals	150—157
VII	Miscellaneous	158—172
	Schedule of Repealed Orders	

2. The limits of this Order are the dominions of the Sublime Ottoman Porte, but, as respects Egypt, do not extend to any place south of the twenty-second parallel of north latitude; and the expressions "Ottoman Dominions" and "Egypt" shall, for the purposes of this Order, be construed accordingly.

3. In the construction of this Order the following words and expressions have the meanings hereby assigned to them, unless there be something in the subject or context repugnant thereto, that is to say:

"Administration" means letters of administration, including the same with will annexed or granted for special or limited purposes or limited in duration.

"The Ambassador" means Her Majesty's Ambassador and includes Chargé d'Affaires or other Chief Diplomatic Representative of Her Majesty in the Ottoman dominions for the time being.

"Agent for Egypt" means Her Majesty's Agent and Consul-General for Egypt, and includes any person temporarily appointed to act for that officer.

"British merchant-ship" means a merchant ship being a British ship within the meaning of "The Merchant Shipping Act, 1894."

"British subject" includes a British protected person, that is to say, a person who either (*a*) is a native of any Protectorate of Her Majesty, and is for the time being in the Ottoman dominions; or (*b*) by virtue of Section 15 of "The Foreign Jurisdiction Act, 1890," or otherwise enjoys Her Majesty's protection in the Ottoman dominions.

"Consular district" means the district in and for which a Consular officer usually acts, or for which he may be authorised to act for all or any of the purposes of this Order by authority of the Secretary of State.

"Consular officer" means a Consul-General, Consul, Vice-Consul, Consular Agent or pro-Consul of Her Majesty resident in the Ottoman dominions, including a person acting temporarily with the approval of the Secretary of State, as or for a Consul-General, Consul, Vice-Consul, or Consular Agent of Her Majesty so resident; and—

(*a*) "Commissioned Consular officer" means a Consular officer holding a commission of Consul-General, Consul, or Vice-Consul from Her Majesty, including a person acting temporarily, with the approval of the Secretary of State as or for such a commissioned Consular officer.

(*b*) "Uncommissioned Consular officer" means a Consular officer not holding such a commission, including a person acting temporarily with the approval of the Secretary of State, as or for such an uncommissioned Consular officer.

"Consulate" and "Consular office" refer to the Consulate and office of a Consular officer.

"The Court," except when the reference is to a particular Court, means any Court established under this Order, subject, however, to the provisions of this Order with respect to powers and local jurisdictions.

"Foreigner" means a subject or citizen of a State in amity with Her Majesty, other than the Sublime Ottoman Porte.

"Judge" in relation to any Court includes any person temporarily appointed to act as Judge of that Court.

"Legal practitioner" includes barrister-at-law, advocate, solicitor, writer to the Signet, and any person possessing similar qualifications.

"Lunatic" means idiot or person of unsound mind.

"Master," with respect to any ship, includes every person (except a pilot) having command or charge of that ship.

"Month" means calendar month.

"Oath" and "affidavit" in the case of persons for the time being allowed by law to affirm or declare, instead of swearing, include affirmation and declaration, and the expression "swear," in the like case, includes affirm and declare.

"Offence" includes crime, and any act or omission punishable criminally in a summary way or otherwise.

"Office copy" means a copy made under the direction of the Court, or produced to the proper officer of the Court for examination with the original, and examined by him and sealed with the seal of the Court.

"Ottoman subject" means a subject of the Sublime Ottoman Porte.

"Ottoman Tribunal" means any Ottoman Tribunal of Commerce, Ottoman Civil Tribunal, or Ottoman Maritime Court, or other Ottoman Tribunal.

"Ottoman waters" means the territorial waters of the Ottoman dominions.

"Person" includes Corporation.

"Pounds" means pounds sterling.

"Prescribed" means prescribed by Rules of Court.

"Prosecutor" means complainant or any person appointed or allowed by the Court to prosecute.

"Proved" means shown by evidence on oath, in the form of affidavit, or other form, to the satisfaction of the Court or Consular officer acting or having jurisdiction in the matter, and "proof" means the evidence adduced in that behalf.

"Resident" means having a fixed place of abode in the Ottoman dominions.

"Rules of Court" means rules of Court made under the provisions of this Order.

"Secretary of State" means one of Her Majesty's Principal Secretaries of State.

"Ship" includes any vessel used in navigation, however propelled, with her tackle, furniture, and apparel, and any boat or other craft.

"The Treasury" means the Commissioners of Her Majesty's Treasury

"Treaty" includes any Convention, Agreement, or Arrangement, made by or on behalf of Her Majesty with any State or Government, King, Chief, people or tribe, whether His Majesty the Sultan is or is not a party thereto.

"Will" means will, codicil, or other testamentary instrument.

Expressions used in any rules, regulations, or orders made under this Order shall, unless a contrary intention appears, have the same respective meanings as in this Order.

4. (1) Words importing the plural or the singular may be construed as referring to one person or thing, or to more than one person or thing, and words importing the masculine as referring to the feminine (as the case may require).

(2) Where this Order confers any power or imposes any duty, then, unless a contrary intention appears, the power may be exercised and the duty shall be performed from time to time as occasion requires.

(3) Where this Order confers a power, or imposes a duty on, or with respect to, a holder of an office, as such, then, unless a contrary intention appears, the power may be exercised and the duty shall be performed by, or with respect to, the holder for the time being of the office or the person temporarily acting for the holder.

(4) Where this Order confers a power to make any rules, regulations, or orders, the power shall, unless a contrary intention appears, be construed as including a power exercisable in the like manner and subject to the like consent and conditions, if any, to rescind, revoke, vary, or amend the rules, regulations, or orders.

(5) This Article shall apply to the construction of any rules, regulations, or orders made under this Order, unless a contrary intention appears.

5. The jurisdiction conferred by this Order extends to the persons and matters following, in so far as by Treaty, grant, usage, sufferance, or other lawful means, Her Majesty has jurisdiction in relation to such matters and things, that is to say:—

(i) British subjects, as herein defined, within the limits of this Order.

(ii) The property and all personal or proprietary rights and liabilities within the said limits of British subjects, whether such subjects are within the said limits or not.

(iii) Ottoman subjects and foreigners in the cases and according to the conditions specified in this Order and not otherwise.

(iv) Foreigners with respect to whom any State, King, Chief, or Government, whose subjects, or under whose protection they are, has, by any Treaty as herein defined, or otherwise agreed with Her Majesty for, or consents to, the exercise of power or authority by Her Majesty.

(v) British ships with their boats, and the persons and property on board thereof, or belonging thereto, being within the Ottoman dominions.

6. All Her Majesty's jurisdiction exercisable in the Ottoman dominions for the hearing and determination of criminal or civil matters, or for the maintenance of order, or for the control or administration of persons or property, or in relation thereto, shall be exercised under and according to the provisions of this Order, and not otherwise.

PART II.—*Constitution and Powers of Courts.*

7. (1) There shall be a Court styled "Her Britannic Majesty's Supreme Consular Court for the dominions of the Sublime Ottoman Porte" (in this Order referred to as the Supreme Court and comprised in the term "the Court").

(2) Subject to the provisions of this Order there shall be two Judges of the Supreme Court, that is to say, a Judge, and an Assistant Judge, who shall respectively be appointed by Her Majesty by warrant under Her Royal Sign Manual.

Each shall be at the time of his appointment a member of the Bar of England, Scotland, or Ireland, of not less than seven years' standing.

(3) Each of the Judges may hold a Commission from Her Majesty as Consul-General or Consul.

(4) The Judges shall sit together for the purposes described in this Order, and the Supreme Court so constituted is hereinafter in this Order referred to as "the Full Court."

(5) There shall be attached to the Supreme Court a Registrar, a Marshal, and so many officers and clerks under such designations as the Secretary of State thinks fit; but unless and until the Secretary of State otherwise appoints, the Assistant Judge shall act as Registrar of the Supreme Court.

(6) In case of the death, illness, or other incapacity, or of the absence or intended absence from the Consular district of Constantinople of either of the Judges, the Ambassador may, if he thinks fit, appoint a fit person to be Acting Judge, or Acting Assistant Judge, as the case may be. If the appointment has to be made to the office of Acting Judge, the Assistant Judge, if present and not incapacitated, shall, unless the Secretary of State otherwise directs, be appointed, and if he is so appointed, the Ambassador may, if he thinks fit, appoint a fit person to act as Assistant Judge.

(7) The Secretary of State may temporarily attach to the Supreme Court such pessons, being Consular officers, as he thinks fit.

A person thus attached shall discharge such duties in connection with the court as the Judge, with the approval of the Secretary of State, may direct.

8. (1) Every commissioned Consular officer, with such exceptions (if any) as the Secretary of State thinks fit to make, shall for and in his own Consular district hold and form a Court, in this Order referred to as a Provincial Court.

(2) Every uncommissioned Consular officer, with such exceptions (if any) as the Supreme Court by writing under the hand of the Judge and the seal of that Court, thinks fit to make, shall for and in his own Consular district, subject to the provisions of this Order, hold and form a Court, in this Order referred to as a Local Court.

(3) Every provincial and Local Court shall be styled "Her Britannic Majesty's Consular Court at Smyrna" (or as the case may be).

(4) Every reference in this order to a Provincial Court in relation to a Local Court shall be deemed to be a reference to a Provincial Court held by the commissioned Consular officer, under whose superintendence the uncommissioned Consular officer holding the Local Court acts.

(5) Every Provincial Court shall, with the approval of the Supreme Court, and every Local Court may, with the approval of the Provincial Court, appoint a competent person, or persons, to perform such duties and to exercise such powers as are by this Order and any Rules of Court imposed or conferred upon the Registrar and Marshal, and any person so appointed shall perform such duties and exercise such powers accordingly.

9. (1) The Secretary of State may, when he thinks fit, under his hand, appoint a competent person to act temporarily as special Judge of the Supreme Court. He shall be a person qualified to be appointed a Judge of the Supreme Court under this Order.

(2) The Secretary of State may by order assign any case, civil or criminal, and whether pending at or commenced after the commencement of this Order, to be tried by or before the Special Judge, and in relation to any case so assigned, all the powers, authority, and jurisdiction of the Supreme Court shall be vested in and exercised by the Special Judge, and if the order so provides the Judges shall not exercise any jurisdiction therein.

(3) The Special Judge may, subject to any directions of the Secretary of State, sit in any part of the Ottoman dominions.

(4) If in any criminal case so assigned the Special Judge is of opinion that a jury or assessors cannot conveniently be obtained, he may act without a jury or assesors.

(5) If any civil case so assigned, whether before or after the commencement of this Order, is set down for rehearing, the same shall be reheard before the Special Judge, with or without either of the Judges of the Supreme Court, or, when the attendance of the Special Judge seems no longer necessary, before the full Court, as the Secretary of State may by the order or any subsequent order direct.

(6) The remuneration and expenses of any Special Judge shall be paid as the Secretary of State, with the consent of the Treasury, directs.

10. The Supreme Court shall have a seal, bearing the style of the Court and such device as the Secretary of State approves, but the seal in use at the commencement of this Order shall continue to be used until a new seal is provided.

In each of the Provincial and Local Courts the official seal of the Consular officer shall be used.

11. All Her Majesty's jurisdiction, civil and criminal, including any jurisdiction by this Order conferred expressly on a Provincial Court, shall for and within the district of the Consulate of Constantinople be vested exclusively in the Supreme Court as its ordinary original jurisdiction.

12. All Her Majesty's jurisdiction, civil and criminal, not under this Order vested exclusively in the Supreme Court, shall to the extent and in the manner provided by this Order be vested in the Provincial and Local Courts.

Provided that as regards all such matters and cases as come within the jurisdiction of any Egyptian Courts established with the concurrence of Her Majesty, the operation of this Order is hereby suspended until Her Majesty by and with the advice of Her Privy Council shall otherwise order.

13. The Supreme Court shall have in all matters, civil and criminal, an original jurisdiction, concurrent with the jurisdiction of the several Provincial and Local Courts, to be exercised subject and according to the provisions of this Order.

14. The Supreme Court shall ordinarily sit at Constantinople and as occasion requires at Alexandria or Cairo; but may, on emergency, sit at any other place within the Ottoman dominions, and may at any time transfer its ordinary sittings to any such place as the Secretary of State approves. Under this Article the Judges may sit at the same time at different places, and each sitting shall be deemed to be a sitting of the Supreme Court.

15. (1) The Registrars of the Provincial Courts at Alexandria and Cairo respectively shall be also District Registrars of the Supreme Court.

(2) They shall, subject to Rules of Court, perform the like duties in respect of proceeding of the Supreme Court pending in their respective District Registries as are performed by the Registrar of the Supreme Court in respect of proceedings pending in the Registry of the Court at Constantinople.

(3) Summonses for the commencement of actions in the Supreme Court shall be issued by the District Registrars when thereunto required, and all such further proceedings as might be taken and recorded in the Registry

of the Supreme Court at Constantinople may be taken and recorded in the District Registry in any actions pending in such District Registries respectively.

(4) The exercise of powers and performance of duties by District Registries at Alexandria and Cairo shall be subject to the control and direction of the Provincial Courts of Alexandria and Cairo respectively in the same manner and to the same extent, subject to rules of Court, as the exercise of powers and performance of duties by the Registrar of the Supreme Court at Constantinople are subject to the control and direction of the Judge of the Supreme Court.

Provided that where a Judge of the Supreme Court is present in Alexandria or Cairo the said control and direction shall be exercised exclusively by such Judge.

16. The Judge or under his directions the Assistant Judge of the Supreme Court may visit, in a magisterial or judicial capacity, any place in the Ottoman dominions, and there inquire of, or hear and determine, any case, civil or criminal, and may examine any records or other documents in any Provincial or Local Court, and give directions as to the keeping thereof.

17. A Provincial Court shall have in all matters, civil and criminal, an original jurisdiction, concurrent with the jurisdiction of the several Local Courts (if any) held within its district to be exercised subject and according to the provisions of this Order.

18. (1) Where any case, civil or criminal commenced in a Local Court, appears to that Court to be beyond its jurisdiction, or to be one which for any other reason ought to be tried in the Provincial Court or the Supreme Court, the Local Court shall report the case to the Provincial Court for directions.

(2) Subject to any directions of the Supreme Court under this Article, a Provincial Court may of its own motion, or on the report of a Local Court, or on the application of any party concerned, require any case, civil or criminal, pending in a Local Court to be transferred to the Provincial Court or in the case of any such report or application, may direct that the case shall proceed in the Local Court.

(3) Where any case, civil or criminal, commenced in a Provincial Court, or reported or transferred to that Court under this Article, appears to the Provincial Court to be beyond its jurisdiction, or to be one which for any other reason ought to be tried in the Supreme Court, the Provincial Court shall report the case to the Supreme Court for directions.

(4) The Supreme Court may have its own motion, or upon the report of a Provincial Court, or on the application of any party concerned, require any case, civil or criminal, pending in any Provincial or Local Court to be transferred to, or tried in, the Supreme Court, or may direct in what Court and in what mode, subject to the provisions of this Order, any such case shall be tried.

19. The Supreme Court, and each Provincial Court shall, in the exercise of every part of its jurisdiction, be a Court of Record.

20. (1) Every Provincial and Local Court shall execute any writ or order issuing from the Supreme Court, and shall take security from any person named in a writ or order for his appearance personally or by attorney, and shall, in default of security being given, or when the Supreme Court so orders, send the person on board one of Her Majesty's vessels of war to Constantinople, or such other port as may be named in the order, or, if no vessel of war is available, then on board some British or other fit vessel.

(2) The order of the Court shall be sufficient authority to the commander or master of the vessel to receive and detain the person, and deliver him up at the port named according to the order.

21. The Supreme Court and each Provincial and Local Court shall be auxiliary to one another in all particulars relative to the administration of justice, civil or criminal.

22. Each Provincial and Local Court shall at such time as may be fixed by rules of Court furnish to the Supreme Court an annual report of every case, civil and criminal, brought before it, in such form as the Supreme Court directs.

The report of a Local Court shall be sent through the Provincial Court.

23. Subject to the provisions of this Order, criminal and civil cases may be tried as follows :

(*a*) In the case of the Supreme Court, by the Court itself, or by the Court with a jury, or with assessors.

(*b*) In the case of a Provincial Court, by the Court itself, or by the Court with assessors.

(*c*) In the case of a Local Court, by the Court itself, without assessors or jury.

24. (1) Notwithstanding anything in this Order, the Court shall not exercise any jurisdiction in any proceeding whatsoever over the Ambassador, or over his official or other residences, or his official or other property.

(2) Notwithstanding anything in this Order, the Court shall not exercise, except with the consent of the Ambassadors signified in writing to the Court, any jurisdiction in any proceeding over any person attached to or being a member of, or in the service of, the Embassy.

(3) If in any case under this Order it appears to the Court that the attendance of the Ambassador, or of any person attached to or being a member of the Embassy, or being in the service of the Embassy, to give evidence before the Court is requisite in the interest of justice, the Court may address to the Ambassador a request in writing for such attendance.

(4) A person attending to give evidence before the Court shall not be compelled or allowed to give any evidence or produce any document, if, in

the opinion of the Ambassador, signified by him personally or in writing to the Court, the giving or production thereof would be injurious to Her Majesty's service.

(5) This Article shall apply to Her Majesty's Agency in Egypt, and the foregoing provisions shall for the purpose of this application be read as if "Her Majesty's Agent and Consul-General" were substituted for the "Ambassador," and "Agency" for "Embassy," wherever those words respectively occur.

PART III.—*Criminal matters.*

25. (1) Except as regards offences against the Capitulations, Articles of Peace, and Treaties between Her Majesty and the Sublime Ottoman Porte, or against any rules and regulations for the observance thereof, or for the maintenance of order among British subjects in the Ottoman dominions, made by or under the authority of Her Majesty, or against any of the provisions of this Order;—

Any act that would not by a Court of Justice having criminal jurisdiction in England be deemed an offence in England, shall not, in the exercise of criminal jurisdiction under this Order, be deemed an offence, or be the subject of any criminal proceeding under this Order.

(2) Subject to the provisions of this Order, criminal jurisdiction under this Order shall, as far as circumstances admit, be exercised on the principles of, and in conformity with, the statute and other law for the time being in force in and for England, and with the powers vested in the Courts of Justice and Justices of the Peace, in England, according to their respective jurisdiction and authority.

26. (1) If any person is guilty of an offence against this Order not distinguished as a grave offence against this Order, he is liable, on summary conviction—

(i) To a fine not exceeding five pounds, without any imprisonment; or

(ii) To imprisonment not exceeding one month, without fine; or

(iii) To imprisonment not exceeding fourteen days, with a fine not exceeding fifty shillings.

(2) Imprisonment under this Article is without hard labour.

27. (1) If any person is guilty of an offence against this Order, distinguished as a grave offence against this Order, he is liable, on summary conviction before the Supreme Court or a Provincial Court—

(i) To a fine not exceeding ten pounds, without imprisonment; or

(ii) To imprisonment not exceeding two months, without fine; or

(iii) To imprisonment not exceeding one month, with a fine not exceeding five pounds.

(2) Imprisonment under this Article is, in the discretion of the Court, with or without hard labour.

28. Every Court may cause to be summoned or arrested, and brought before it, any person subject to, and being within the limits of, its jurisdiction, and charged with having committed an offence cognizable under this Order, and may deal with the accused according to the jurisdiction of the Court and in conformity with the provisions of this Order; or when the offence is liable and is to be tried in England, to take the preliminary examination, and to commit the accused for trial, and cause or allow him to be taken to England.

29. For the purposes of criminal jurisdiction every offence and cause of complaint committed or arising in the Ottoman dominions shall be deemed to have been committed or to have arisen, either in the place where the same actually was committed or arose, or in any place in the Ottoman dominions where the person charged or complained of happens to be at the time of the institution or commencement of the charge or complaint.

30. Where a British subject is charged with the commission of an offence the cognizance whereof appertains to the Court, and it is expedient that the crime or offence be inquired of, tried, determined, and punished within Her Majesty's dominions elsewhere than in England, the accused may (under "The Foreign Jurisdiction Act, 1890," section 6) be sent for trial to Bombay or Malta.

The Supreme Court may, where it appears so expedient, by warrant under the hand of the Judge and the seal of the Court, cause the accused to be sent for trial to Bombay or Malta accordingly.

The warrant shall be sufficient authority to any person to whom it is directed to receive and detain the person therein named, and to carry him to and deliver him up to Bombay or to Malta (as the case may be), according to the warrant.

Where any person is to be so sent to Bombay or to Malta, the Court before which he is charged shall take the preliminary examination, and shall bind over such of the proper witnesses as are British subjects in their own recognisances to appear and give evidence on the trial.

31. (1) The Supreme Court may adjudge punishment as follows:

(*a*) Imprisonment, not exceeding twenty years, with or without hard labour, and with or without a fine not exceeding five hundred pounds,; or,

(*b*) A fine not exceeding five hundred pounds, without imprisonment; and

(*c*) In case of a continuing offence, in addition to imprisonment or fine, or both, a fine not exceeding one pound for each day during which the offence continues after the day of the commission of the original offence.

(2) A provincial Court may adjudge punishment as follows :—

Imprisonment, not exceeding twelve months, with or without hard labour, and with or without a fine not exceeding fifty pounds; or,

A fine not exceeding fifty pounds, without imprisonment.

(3) A Local Court may adjudge punishment as follows :—

A fine not exceeding five pounds, without imprisonment; provided that a Local Court shall not hear and determine any charge unless the offence is punishable on summary conviction.

32. (1) Every accused person shall be tried upon a charge, which shall state the offence charged, with such particulars as to the time and place of the alleged offence, and the person (if any) against whom or the thing (if any) in respect of which it was committed, as are reasonably sufficient to give the accused notice of the matter with which he is charged.

(2) The fact that a charge is made is equivalent to a statement that every legal condition required by law to constitute the offence charged was fulfilled in the particular case.

(3) Where the nature of the case is such that the particulars above mentioned do not give such sufficient notice as aforesaid, the charge shall also contain such particulars of the manner in which the alleged offence was committed as will give such sufficient notice.

33. For every distinct offence of which any person is accused there shall be a separate charge, and every such charge shall be tried separately, except in the cases following, that is to say—

(*a*) Where a person is accused of more offences than one of the same kind committed within the space of twelve months from the first to the last of such offences he may be charged with, and tried at one trial for any number of them not exceeding three.

(*b*) If in one series of acts so connected together as to form the same transaction more offences than one are committed by the same person, he may be charged with and tried at one trial for every such offence.

(*c*) If the acts alleged constitute an offence falling within two or more definitions or descriptions of offences in any law or laws, the accused may be charged with, and tried at one trial for, each of such offences.

(*d*) If several acts constitute several offences, and also when combined, a different offence, the accused may be charged with, and tried at one trial for, the offence constituted by such acts when combined, or one or more of the several

offences, but in the latter case shall not be punished with more severe punishment than the Court which tries him could award for any one of those offences.

(*e*) If a single act or series of acts is of such a nature that it is doubtful which of several offences the facts which can be proved will constitute, the accused may be charged with having committed all or any of such offences, and any number of such charges may be tried at once; or he may be charged in the alternative with having committed some one of the offences; and if it appears in evidence that he has committed a different offence for which he might have been charged, he may be convicted of that offence, although not charged with it.

34. When more persons than one are accused of the same offence or of different offences committed in the same transaction, or when one is accused of committing an offence, and another of abetting or attempting to commit that offence. they may be charged and tried together or separately, as the Court thinks fit.

35. (1) Any Court, if sitting with a jury or assessors, may alter any charge at any time before the verdict of the jury is returned or the opinions of the assessors are expressed; if sitting without jury or assessors, at any time before judgment is pronounced.

(2) Every such alteration shall be read and explained to the accused.

(3) If the altered charge is such that proceeding with the trial immediately is likely, in the opinion of the Court, to prejudice the accused or the prosecutor, the Court may adjourn the trial for such period as may be necessary.

36. (1) No error or omission in stating either the offence or the particulars shall be regarded at any stage of the case as material, unless the accused was misled by such error or omission.

(2) When the facts alleged in certain particulars are proved and constitute an offence, and the remaining particulars are not proved, the accused may be convicted of the offence constituted by the facts proved, although not charged with it.

(3) When a person is charged with an offence and the evidence proves either the commission of a minor offence or an attempt to commit the offence charged, he may be convicted of the minor offence or of the attempt.

37. (1) If the accused has been previously convicted of any offence, and it is intended to prove such conviction for the purpose of affecting the punishment which the Court is competent to award, the fact, date, and place of the previous conviction shall be stated in the charge.

(2) If such statement is omitted, the Court may add it at any time before sentence is passed.

(3) The part of the charge stating the previous conviction shall not be read out in Court, nor shall the accused be asked whether he has been previously convicted, as alleged in the charge, unless and until he has either pleaded guilty to, or been convicted of, the subsequent offence.

(4) If he pleads guilty to, or is convicted of, the subsequent offence, he shall then be asked whether he has been previously convicted, as alleged in the charge.

(5) If he answers that he has been so previously convicted, the Court may proceed to pass sentence on him accordingly, but, if he denies that he has been so previously convicted, or refuses to, or does not, answer such question, the Court shall then inquire concerning such previous conviction, and in such case (where the trial is by jury) it shall not be necessary to swear the jurors again.

38. (1) In each of the two following cases, namely:

(*i*) Where the offence charged is felony; or,

(*ii*) When it appears to the Court at any time before the trial, the opinion of the Court being recorded in the minutes, that the offence charged, if proved, would not be adequately punished by imprisonment for three months with hard labour, or by a fine of twenty pounds, or both such imprisonment and fine—

The charge shall be triable with a jury or assessors (according to the provisions of this Order applicable to the Court); but may, with the consent of the accused, be tried without assessors or jury. In the Supreme Court, when the accused does not so consent, the charge shall be tried with a jury, unless the Court is of opinion that a jury cannot be obtained.

(2) The Supreme Court may, for any special reason, direct that any case shall be tried with assessors or a jury, and a Provincial Court may, for any special reason, direct that any case shall be tried with assessors. In each such case the special reason shall be recorded in the Minutes.

39. (1) The Registrar of the Supreme Court when the duties of that officer are not performed by the Assistant Judge shall, subject to any directions of the Supreme Court, hear and determine such criminal cases in that Court as may under this Order, be heard and determined without assessors or jury, and for this purpose shall exercise all the powers and jurisdiction of a Provincial Court.

(2) The officer performing the duties of Registrar, in a Provincial or Local Court, shall, when required by the Court, act as public prosecutor, and conduct the prosecution in any criminal case.

40. (1) Where a charge made in a Provincial or Local Court appears to that Court to be one which ought under the provisions of this Order to be reported, the Provincial or Local Court shall proceed to make a

preliminary examination of the charge in the prescribed manner, and shall send the depositions and a Minute of other evidence (if any) together with its Report, in the case of a Provincial Court, to the Supreme Court, or in the case of Local Court, to the Provincial Court.

(2) Where a charge, reported to a Provincial Court under this Article, appears to that Court to be one which ought to be reported to the Supreme Court, the Provincial Court shall send the depositions, Minutes, and Report of the Local Court, with a covering Report, to the Supreme Court.

41. (1) Where a person charged with an offence is arrested on warrant issuing out of any Court, he shall be brought before the Court within fourty-eight hours after the execution of the warrant, unless in any case circumstances unavoidably prevent his being brought before the Court within that time, which circumstances shall be recorded in the Minutes.

(2) In every case, he shall be brought before the Court as soon as circumstances reasonably admit, and the time and circumstances shall be recorded in the Minutes.

42. (1) Where the accused is ordered to be tried before a Court with a jury or with assessors, he shall be tried as soon after the making of the order as circumstances reasonably admit.

(2) As long notice of the time of trial as circumstances reasonably admit shall be given to him in writing under the seal of the Court, which notice, and the time thereof, shall be recorded in the Minutes.

43. (1) Where an accused person is in custody, he shall not be remanded at any time for more than seven days, unless circumstances appear to the Court to make it necessary or proper that he should be remanded, for a longer time, which circumstances and the time of remand, shall be recorded in the Minutes.

(2) In no case shall a remand be for more than fourteen days at one time, unless in case of illness of the accused or other case of necessity.

44. (1) The Court may, in its discretion, admit to bail a person charged with any of the following offences, namely:

Any felony.

Riot.

Assault on any officer in the execution of his duty, or on any person acting in his aid.

Neglect or breach of duty by an officer.

But a person charged with treason or murder shall not be admitted to bail except by the Supreme Court.

(2) In all other cases the Court shall admit the accused to bail unless the Court, having regard to the circumstances, sees good reason to the contrary which reason shall be recorded in the Minutes.

(3) The Supreme Court may admit a person to bail, although a Provincial or Local Court has not thought fit to do so.

(4) The accused who is to be admitted to bail, either on remand or on or after trial ordered, shall produce such surety or sureties as, in the opinion of the Court, will be sufficient to insure his appearance as and when required, and shall with him or them enter into a recognisance accordingly.

45. (1) Where after a preliminary examination the accused is ordered to be tried, the Court shall bind by recognisance the prosecutor and every witness to appear at the trial to prosecute, or to prosecute and give evidence, or to give evidence (as the case may be).

(2) If a British subject refuses to enter into such recognisance, the Court may send him to prison, there to remain until after the trial, unless in the meantime he enters into a recognisance.

(3) But if afterwards, from want of sufficient evidence or other cause the accused is discharged, the Court shall order that the person imprisoned for so refusing be also discharged.

(4) Where the prosecutor or witness is not a British subject, the Court may require him either to enter into a recognisance or to give other security for his attendance at the trial, and if he fails to do so may in its discretion dismiss the charge.

46. (1) Where an accused person is convicted of murder, the proper officer of the Supreme Court, under the direction of the presiding Judge, shall, in open Court, require the offender to state if he has anything to say why judgment of death should not be recorded against him.

(2) If the offender does not allege anything that would be sufficient in law to prevent judgment of death if the offence of trial had been committed and had in England, the Judge may order that judgment of death be entered on record.

(3) Thereupon the proper officer shall enter judgment of death on record against the offender, as if judgment of death had been actually pronounced on him in open Court by the Judge.

(4) The presiding Judge shall forthwith send a Report of the Judgment, together with a copy of the Minutes and of the notes of evidence and any observations which he thinks fit to make, to the Secretary of State for his direction respecting the punishment to be actually imposed.

(5) The punishment actually imposed shall not in any case exceed the measure of imprisonment and fine which the Supreme Court is empowered by this order to impose.

47. (1) The Court may, if it thinks fit, order a person convicted of an assault to pay to the person assaulted by way of damages any sum not exceeding ten pounds.

(2) Damages so ordered to be paid may be either in addition to or in lieu of a fine, and shall be recoverable in like manner as a fine.

(3) Payment of such damages shall be a defence to an action for the assault.

48. (1) The Court may, if it thinks fit, order a person convicted before it to pay all or part of the expenses of his prosecution, or of his imprisonment or other punishment or of both, the amount being specified in the order.

(2) Where it appears to the Court that the charge is malicious, or frivolous and vexatious, the Court may, if it thinks fit, order the complainant to pay all or part of the expenses of the prosecution, the amount being specified in the order.

(3) In these respective cases the Court may, if it thinks fit, order that the whole or such portion as the Court thinks fit of the expenses so paid be paid over to the complainant or to the accused (as the case may be).

(4) In all cases the reasons of the Court for making any such order, or for refusing it if applied for, shall be recorded in the minutes.

49. Subject to Rules of Court made under this order, the Court may order payment of the reasonable expenses of any complainant or witness attending before the Court on the trial of any criminal case by a jury or with assessors, and also of the reasonable expenses of the jury or assessors.

50 (1) The Supreme Court may by general order approved by the Secretary of State prescribe the manner in which and the prisons in the Ottoman dominions at which punishments passed by any Court or otherwise awarded under this Order are to be carried into execution.

(2) The warrant of any Court shall be sufficient authority to any person to whom it is directed to receive and detain the person therein named in any prison so prescribed.

51. (1) Where an offender is sentenced to imprisonment, and the Supreme Court thinks it expedient that the sentence be carried into effect within Her Majesty's dominions, and the offender is accordingly under section 7 of "the Foreign Jurisdiction Act, 1890," sent for imprisonment to a place in Her Majesty's dominions, the place shall be either Malta or Gibraltar, or a place in some other part of Her Majesty's dominions out of the United Kingdom, the Government whereof consents that offenders may be sent thither under this Article.

(2) The Supreme Court may, by warrant under the hand of a Judge and the seal of the Court, cause the offender to be sent to Malta or Gibraltar, or other such place as aforesaid, in order that the sentence may be there carried into effect accordingly.

(3) The warrant shall be sufficient authority to any person to whom it is directed to receive and detain the person therein named and to carry him to and deliver him up at the place named, according to the warrant.

52. "The Fugitive Offenders Act, 1881," and "the Colonial Prisoners Removal Act, 1884," shall apply to Egypt and to the Ottoman dominions

other than Egypt as if those places were respectively British possessions and parts of Her Majesty's dominions.

Subject as follows:—

(*a*) As respects Egypt, Her Majesty's Agent and Consul-General, and as respects the Ottoman dominions (other than Egypt), the Ambassador at Constantinople is hereby substituted for the Governor or Government of a British possession.

(*b*) The Supreme Court, or in Egypt, during the absence of a Judge of the Supreme Court, the Provincial Court at Alexandria is hereby substituted for a Superior Court of a British possession.

(*c*) The Supreme Court and each Provincial Court is substituted for a Magistrate of any part of Her Majesty's dominions.

(*d*) For the purposes of Part II of the said Act of 1881, and of this Article in relation thereto, the Ottoman dominions and Malta and Gibraltar shall be deemed to be one group of British possessions.

53. (1) The Supreme Court may, if it thinks fit, report to the Secretary of State recommending a mitigation or remission of any punishment awarded by any Court; and thereupon the punishment may be mitigated or remitted by the Secretary of State.

(2) Nothing in this order shall affect Her Majesty's prerogative of pardon.

54. Where a person charged with an offence escapes or removes from the Consular district within which the offence was committed and is found within another Consular district, the Court within whose district he is found may proceed in the case to trial and punishment, or to preliminary examination (as the case may require), in like manner as if the offence had been committed in its own district; or may, on the requisition or with the consent of the Court within whose district the offence was committed, send him in custody to that Court, or require him to give security for his surrender to that Court, there to answer the charge and to be dealt with according to law.

Where any person is to be so sent in custody, a warrant shall be issued by the Court within whose district he is found, that warrant shall be sufficient authority to any person to whom it is directed to receive and detain the person therein named, and to carry him to and deliver him up to the Court within whose district the offence was committed, according to the warrant.

55. (1) In cases of murder or manslaughter if either the death, or the criminal act which wholly or partly caused the death, happen within the jurisdiction of a Court acting under this order, that Court shall have the like jurisdiction over any British subject who is charged either as the principal offender, or as accessory before the fact to murder, or as accessory after the fact to murder or manslaughter as if both the criminal act and the death had happened within that jurisdiction.

(2) In the case of any offence committed on the high seas, or within the Admiralty jurisdiction, by any British subject on board a British ship, or on board a foreign ship to which he did not belong, the Court shall, subject to the provisions of this order, have jurisdiction as if the offence had been committed within the jurisdiction of that Court. In cases tried under this Article no different sentence can be passed from the sentence which could be passed in England if the offence were tried there.

(3) The foregoing provisions of this Article shall be deemed to be adaptations, for the purposes of this Order and of "the Foreign Jurisdiction Act, 1890," of the following enactments, that is to say:

"The Admiralty Offences (Colonial) Act, 1849."

"The Admiralty Offences (Colonial) Act, 1860."

"The Merchant Shipping Act, 1894," section 686.

56. Where the Supreme Court or a Provincial Court issues a summons or warrant against any person on a charge of an offence committed on board of or in relation to a British ship, then, if it appears to the Court that the interests of public justice so require, that Court may issue a warrant or order for the detention of the ship, and may cause the ship to be detained accordingly, until the charge is heard and determined, and the order of the Court thereon is fully executed, or for such shorter time as the Court thinks fit; and the Court shall have power to make all such orders as appear to it necessary or proper for carrying this provision into effect.

57. Any Act which, if done in the United Kingdom or in a British possession, would be an offence against any of the following Statutes of the Imperial Parliament, or Orders in Council, that is to say:

"The Merchandise Marks Act, 1887;"

"The Patents, Designs, and Trade Marks Acts, 1883 to 1888;"

Any Act, Statute, or Order in Council for the time being in force relating to copyright; or to inventions, designs, or trade marks;

Any Statute amending or substituted for any of the above-mentioned Statutes:

Shall, if done by a British subject in the Ottoman dominions, be punishable as a grave offence against this Order, whether such act is done in relation to any property or right of a British subject, or of a foreigner, or native, or otherwise, howsoever:

Provided—

(1) That a copy of any such Statute or Order in Council shall be published in the public office of the Consulates at Constantinople and Alexandria, and shall be there open for inspection by any person at all reasonable times; and a person shall not be punished under this Article for anything done before the expiration of one month after such publication, unless the person offending is proved to have had express notice of the Statute or Order in Council.

(2) That a prosecution by or on behalf of a prosecutor who is not a British subject shall not be entertained unless the Court is satisfied that effectual provision exists for the punishment in Consular or other Courts in the Ottoman dominions of similar acts committed by the subjects of the State or Power of which such prosecutor is a subject, in relation to, or affecting the interests of British subjects.

58. (1) The Supreme Court shall, when required by the Secretary of State, send to him a report of the sentence of the Court in any case tried before that Court with a jury or assessors, with a copy of the Minutes and notes of evidence, and with any observations which the Court thinks fit to make.

(2) Every Provincial Court shall, in accordanee with Rules to be made under this Order, send to the Supreme Court a report of the sentence of the Court in every case tried by Court with assessors, with such Minutes, notes of evidence and other documents as such Rules may direct, and with any observations which the Court thinks fit to make.

59. (*a*) The Court shall have and discharge all the powers, rights and duties appertaining to the office of Coroner in England in relation not only to deaths of British subjects happening in the district of the Court, but also to deaths of any persons having happened at sea on board British ships arriving in the district, and to deaths of British subjects having happened at sea on board foreign ships so arriving.

(*b*) Every inquest shall be held with a jury of not less than three persons comprised in the jury list of the Court summoned for that purpose.

(*c*) If any person fails to attend according to such summons, he shall be liable to a fine not exceeding the fine to which he would be liable in case of failure to attend as a juror in civil or criminal proceedings.

(*d*) In this Article the expression "the Court" includes the Registrar of the Supreme Court, but does not include a Local Court.

60. (1) Where it is proved that there is reasonable ground to apprehend that a British subject is about to commit a breach of the public peace —or that the acts or conduct of a British subject are or is likely to produce or excite to a breach of the public peace—the Court may, if it thinks fit cause him to be brought before it and require him to give security to the satisfaction of the Court, to keep the peace, or for his future good behaviour as the case may require.

(2) Where a British subject is convicted of an offence before the Court, or before a Court in the sentence of which one of Her Majesty's Consular officers concurs, the Court for the district in which he is may, if it thinks fit, require him to give security to the satisfaction of the Court for his future good behaviour, and for that purpose may (if need be) cause him to be brought before the Court.

(3) In either of the foregoing cases, if the person required to give security fails to do so, the Court may order that he be deported from the Ottoman dominions to such place as the Court directs.

(4) The place shall be a place in some part (if any) of Her Majesty's dominions out of the United Kingdom, to which the person belongs or the Government of which consents to the reception of persons deported under this Order, or in some part of a Protectorate of Her Majesty appointed by the Secretary of State.

(5) A Provincial Court shall report to the Supreme Court any order of deportation made by it, and the grounds, thereof, before the order is executed. The Supreme Court may reverse the order, or may confirm it with or without variation, and in case of confirmation, shall direct it to be carried into effect.

(6) The person to be deported shall be detained in custody until a fit opportunity for his deportation occurs.

(7) He shall, as soon as is practicable,—and in the case of a person convicted either after execution of the sentence or while it is in course of execution,—be embarked in custody under the warrant of the Supreme Court, or, in Egypt (during the absence of a Judge of the Supreme Court), of the Provincial Court at Alexandria on board one of Her Majesty's vessels of war, or, if there is no such vessel available, then on board any British or other fit vessel bound to the place of deportation.

(8) The warrant shall be sufficient authority to the commander or master of the vessel, to receive and detain the person therein named, and to carry him to and deliver him up at the place named, according to the warrant.

(9) The Court may order the person to be deported to pay all or any part of the expenses of his deportation. Subject thereto, the expenses of deportation shall be defrayed in such manner as the Secretary of State, with the concurrence of the Treasury, may direct.

(10) The Supreme Court shall forthwith report to the Secretary of State any order of deportation made or confirmed by it and the grounds thereof, and shall also inform the Ambassador, or if in Egypt, Her Majesty's Agent

(11) If any person deported under this or any former Order returns to the Ottoman dominions without permission in writing of the Secretary of State (which permission the Secretary of State may give) he shall be deemed guilty of a grave offence against this Order; and he shall also be liable to be forthwith again deported.

(12) A local Court shall not exercise any jurisdiction under this Article.

61. (1) Where a person is convicted before a Provincial or Local Court—

(*a*) If he considers the conviction erroneous in law, then, on his application, within the prescribed time (unless it appears merely frivolous, when it may be refused); or

(*b*) If the Provincial or Local Court thinks fit to reserve for consideration of the Supreme Court any question of law arising on the trial;

the Provincial or Local Court shall state a case setting out the facts and the grounds of the conviction, and the question of law, and send it to the Supreme Court.

(2) Thereupon the Provincial or Local Court shall, as it thinks fit, either postpone judgment on the conviction, or respite execution of the judgment, and either commit the person convicted to prison, or take security for him to appear and receive judgment or to deliver himself for execution of the judgment (as the case may require) at an appointed time and place.

(3) The Supreme Court, sitting without a jury or assessors, shall hear and finally determine the matter and thereupon shall reverse, affirm, or amend the judgment given or set it aside, and order an entry to be made in the Minutes that in the judgment of the Supreme Court the person ought not to have been convicted, or order judgment to be given at a subsequent sitting of the Provincial or Local Court, or make such other order as the Supreme Court thinks just, and shall also give all necessary and proper consequential directions.

(4) The judgment of the Supreme Court shall be delivered in open Court after the public hearing of any argument offered on behalf of the prosecutor or of the person convicted.

(5) Before delivering judgment the Supreme Court may, if necessary, cause the case to be amended by the Provincial or Local Court.

(6) The Supreme Court shall not annul a conviction or sentence, or vary a sentence, on the ground—

(*a*) Of any objection which if stated during the trial, might, in the opinion of the Sepreme Court, have been properly met by amendment by the Provincial or Local Court; or

(*b*) Of any error in the summoning of assessors; or

(*c*) Of any person having served as assessor who was not qualified; or

(*d*) Of any objection to any person as assessor which might have been raised before or at the trial; or

(*e*) Of any informality in the swearing of any witness; or

(*f*) Of any error or informality which, in the opinion of the Supreme Court, did not affect the substance of the case or subject the convicted person to any undue prejudice.

62. There shall be no appeal in a criminal case to Her Majesty the Queen in Council from a decision of the Supreme Court, except by special leave of Her Majesty in Council.

PART IV.—*Civil Matters.*

63. Subject to the provisions of this Order, the civil jurisdiction of every Court acting under this Order shall, as far as circumstances admit, be exercised on the principles of, and in conformity with, the statute and other law for the time being in force in and for England.

64. (1) Every civil proceeding in the Court shall be taken by action, and not otherwise, and shall be designated an action.

(2) For the purposes of any statutory enactment or other provision applicable under this Order to any civil proceeding in the Court, an action under this Order shall comprise and be equivalent to a suit, cause, or petition, or to any civil proceeding, howsoever required by any such enactment or provision to be instituted or carried on.

65. (1) Every action shall be heard and determined in a summary way.

(2) Every application in the course of an action may be made to the Court orally, and without previous formality, unless in any case the Court otherwise directs, or the rules of Court otherwise provide.

(3) No action or proceeding shall be treated by the Court as invalid on account of any technical error or mistake in form or in words.

(4) All errors and mistakes may be corrected, and times may be extended, by the Court in its discretion, and on such terms as the Court thinks just.

66. (1) The sittings of the Court for the hearing of action shall, where the amount of business so requires, be held on stated days.

(2) The sittings shall ordinarily be public, but the Court may, for reasons recorded in the Minutes, hear any particular case in the presence only of the parties and their legal advisers and the officers of the Court.

67. Every action shall commence by a summons, issued from the Court, on the application of the plaintiff, and served on the defendant (in this Order referred to as an original summons).

68. The Registrar shall keep a book, called the Action Book, in which all actions brought in the Court shall be entered, numbered consecutively in each year, in the order in which they are commenced, with a short statement of the particulars of each action, and a note of the several proceedings therein.

69. (1) An original summons shall not be in force for more than twelve months from the day of its date (including that day).

(2) If any defendant named therein is not served therewith, the plaintiff may, before the end of the twelve months, apply to the Court for renewal thereof.

(3) The Court, if satisfied that reasonable efforts have been made to serve the defendant, or for other good reason, may order that the summons

be renewed for six months from the date of renewal, and so, from time to time, during the currency of the renewed summons.

(4) The summons shall be renewed by being re-sealed with the seal of the Court, and a note being made thereon by the Registrar, stating the renewal and the date thereof.

(5) A summons so renewed shall remain in force and be available to prevent the operation of any statute of limitation, and for all other purposes, as from the date of the original summons.

(6) The production of a summons purporting to be so renewed shall be sufficient evidence of the renewal and of the commencement of the action, as of the date of the original summons, for all purposes.

70. If an action is not proceeded with and disposed of within twelve months from service of the original summons, the Court may, if it thinks fit, without application by any party, order the same to be dismissed for failure to proceed.

71. The Court may, at any time, if it thinks fit, either on or without application of a defendant, order the plaintiff to put in further particulars of his claim.

72. There shall ordinarily be no written pleadings; but the Court may at any time, if it thinks fit, order the plaintiff to put in a written statement of his claim, or a defendant to put in a written statement of his defence.

73. The evidence on either side may, subject to the direction of the Court, be wholly or partly oral, or on affidavit, or by deposition.

74. (1) Subject to the provisions of this Order, every action in the Supreme Court which involves the amount or value of fifty pounds or upwards shall, on the demand of either party in writing, filed in the Court seven days before the day appointed for the hearing, be heard with a jury.

(2) Any other suit may, on the suggestion of any party, at any stage, be heard with a jury, if the Court thinks fit.

(3) Any suit may be heard with a jury if the Court, of its own motion, at any stage, thinks fit.

75. (1) The Supreme Court may, if it thinks fit, hear any action with assessors.

(2) A Provincial Court shall (subject to the provisions of this Order) hear with assessors every action which involves the amount or value of three hundred pounds or upwards.

(3) In all other cases a Provincial Court may, as it thinks fit, hear the action either with or without assessors.

76. (1) After the issue of a summons by any Court, the decision of that Court may be given upon a special case submitted to the Court by the parties.

(2) Any decision of a Provincial Court may be given subject to a case to be stated by, or under the direction of, that Court for the opinion or direction of the Supreme Court.

77. The following provisions apply to a Local Court:

(1) Such Court shall not exercise jurisdiction where the amount or value involved exceeds ten pounds.

(2) A Local Court shall, within fourteen days after the determination of any action, report the action to the Provincial Court, and transmit to that Court a copy of the proceedings.

(3) A Local Court shall have power to enforce any order by execution on the goods of the party ordered to pay, and not otherwise.

(4) An appeal to the Supreme Court from a Local Court shall lie as of course on the appellant making a deposit of one pound for costs to abide the decision on appeal, and execution shall thereupon be suspended.

(5) After one month from the date of the decision of the Local Court an appeal shall not lie except by leave of the Supreme Court.

(6) The proceedings with respect to an appeal under this Article shall be conducted as nearly as may be according to the provisions of this Order relating to appeals from Provincial Courts.

(7) In any case the Supreme Court may, if it thinks fit, on the application of any party, direct that the appeal be heard and determined by the Provincial Court or in the Supreme Court.

78. (1) Notwithstanding anything in this Order, the Court (for reasons recorded in the Minutes) may at any time do any of the following things as the Court thinks just:

(i) Defer or adjourn the hearing or determination of any action, proceeding, or application;

(ii) Order or allow any amendment of any pleading or other document;

(iii) Appoint or allow a time for, or enlarge or abridge the time appointed or allowed for, or allow further time for, the doing of any act or the taking of any proceeding.

(2) Any order within the discretion of the Court may be made on such terms respecting time, costs, and other matters, as the Court thinks fit.

79. (1) The Supreme Court may, if it thinks fit, on the application of any party, or of its own motion, order a rehearing of an action, or of an appeal, or of any arguments on a verdict, or on any other question of law.

(2) The provisions of this Order respecting a hearing with a jury or assessors shall extend to a rehearing of an action.

(3) The Supreme Court may, if it thinks fit, direct any rehearing to be before the full Court.

(4) If the party applying for a rehearing has by any order been ordered to pay money or do any other thing, the Court may direct either that the order be carried into execution, or that the execution thereof be suspended pending the rehearing, as it thinks fit.

(5) If the Court directs the order to be carried into execution, the party in whose favour it is given shall before the execution give security to the satisfaction of the Court for performance of such order as shall be made on the rehearing.

(6) If the Court directs the execution of the order to be suspended, the party against whom it is given shall, before an order for suspension is given, give security to the satisfaction of the Judge for performance of such order as shall be made on the rehearing.

(7) An application for a rehearing shall be made within the prescribed time.

80. Subject to the provisions of this Order and the Rules of Court, the costs of, and incident to, all proceedings in the Court shall be in the discretion of the Court, provided that if the action is tried with a jury the cost shall follow the event, unless the Court shall for good cause (to be entered in the Minutes) otherwise order.

81. (1) A Minute of every order, whether interlocutory or final, shall be made by the Court in the Minutes of Proceedings at the time when the judgment or order is given or made.

(2) Every such Minute shall have the full force and effect of a formal order.

(3) The Court may at any time order a formal order to be drawn up on the application of any party.

82. Where the Court delivers a decision in writing, the original, or a copy thereof, signed by the Judge or officer holding the Court, shall be filed in the proper office of the Court with the papers in the action.

83. (1) An order shall not be drawn up in form except on the application of some party to the action, or by direction of the Court, and shall then be passed and be certified by the affixing thereto of the seal of the Court, and it shall then be deemed to form part of the record in the action.

(2) An order shall not be enforced or appealed from, nor shall an office copy of it be granted, until it forms part of the record.

(3) An order shall bear the date of the day of the delivery of the decision on which the order is founded.

(4) Any party to an action or proceeding is entitled to have an office copy of any order made therein.

84. (1) Ordinarily, an order of a Provincial or Local Court shall not be enforced out of the Consular district of the Consular officer making the order.

(2) Where, however, a Provincial Court thinks that the urgency or other peculiar circumstances of the case so require, that Court may, for reasons recorded in the Minutes, order that any particular order be enforced out of the particular district.

85. All money ordered by the Court to be paid by any person shall be paid into an office of the Court, unless the Court otherwise directs.

86. Where money ordered by the Court to be paid is due for seamen's wages or is other money recoverable under "The Merchant Shipping Act, 1894," or other law relating to ships, and the person ordered to pay is master or owner of a ship, and the money is not paid as ordered, the Court in addition to other powers for compelling payment, shall have power to direct that the amount unpaid be levied by seizure and sale of that ship.

87. Where an order ordering payment of money remains wholly or in part unsatisfied, whether an execution order has been made or not, the person prosecuting the order (in this order called the judgment creditor) may apply to the Court for an order ordering the person by whom payment is to be made (in this order called the judgment debtor) to appear and be examined respecting his ability to make the payment; and the Court shall, unless it sees good reason to the contrary, make an order accordingly.

Where the order for the payment of money was made by a Local Court, the application under this Article shall be made to the Provincial Court.

88. (1) On the appearance of the judgment debtor, he may be examined on oath by or on behalf of the judgment creditor, and by the Court, respecting his ability to pay the money ordered to be paid, and for discovery of property applicable thereto, and respecting his disposal of any property.

(2) He shall produce, on oath or otherwise, all books, papers and documents in his possession or power relating to any property applicable to payment.

(3) Whether the judgment debtor appears or not, the judgment creditor, and any witness whom the Court thinks requisite, may be examined, on oath or otherwise, respecting the same matters.

(4) The Court may, if it thinks fit, adjourn the examination from time to time, and require from the judgment debtor such security for his appearance as the Court thinks fit; and, in default of his finding security may, by order, commit him to the custody of an officer of the Court, there to remain until the adjourned hearing, unless sooner discharged.

89. If it appears to the Court, by the examination of the judgment debtor or other evidence, that the judgment debtor then has sufficient means to pay the money directed to be paid by him, and he refuses or neglects to pay the same according to the order, then and in any such case the Court may, if it thinks fit, by order, commit him to prison for any time not exceeding forty days.

90. On the examination, the Court, if it thinks fit, whether it makes an order for commitment or not, may rescind or alter any order for the payment

of money by instalments or otherwise, and may make any further or other order, either for the payment of the whole amount forthwith, or by instalments, or in any other manner, as the Court thinks fit.

91. (1) The expenses of the judgment debtor's maintenance in prison shall be defrayed in the first instance by the judgment creditor and may be recovered by him from the judgment debtor, as the Court directs.

(2) The expenses shall be estimated by the Court, and shall be paid by the judgment creditor at such times and in such manner as the Court directs.

(3) In default of payment the judgment debtor may be discharged, if the Court thinks fit.

92. Imprisonment of a judgment debtor under the foregoing provisions does not operate as a satisfaction or extinguishment of the debt or liability to which the order relates, or protect the debtor from being anew imprisoned for any new default making him liable to be imprisoned, or deprive the judgment creditor of any right to have execution against his goods, as if there had not been such imprisonment.

93. The judgment debtor, on paying at any time the amount ordered to be paid, and all costs and expenses, shall be discharged.

94. (1) Where the order of the Court is one ordering some act to be done other than payment of money, there shall be endorsed on the copy of it served on the person required to obey it a memorandum in the words or to the effect following:

If you, the within named A. B., neglect to obey this order within the time therein appointed, you will be liable to be arrested and your property may be sequestered.

(2) Where the person directed to do the act fails to do it according to the order, the persons prosecuting the order may apply to the Court for another order for the arrest of the disobedient person.

(3) Thereupon the Court may make an order ordering and empowering an officer of the court therein named to take the body of the disobedient person and detain him in custody until further order.

(4) He shall be liable to be detained in custody until he has obeyed the order in all things that are to be immediately performed, and given such security, as the Court thinks fit, to obey the order in other respects (if any) at the future times thereby appointed.

95. If the debtor, against whom a warrant of arrest issues, cannot be found, or is taken or detained in custody without obeying the order, the person prosecuting the order may apply to the Court for an order of sequestration against his property.

96. (1) On proof of great urgency or other peculiar circumstances, the Court may, if it thinks fit, before service of a writ or summons in an action, and without notice, make an order of injunction, or an order to

sequester money or goods, or to stop the clearance of a vessel, or to hold to bail, or to attach property.

(2) Before making the order the Court shall require the person applying for it to enter into a recognisance, with or without a surety or sureties, as the Court thinks fit, as security for his being answerable in damages to the person against whom the order is sought.

(3) The order shall not remain in force more than twenty-four hours, and shall at the end of that time wholly cease to be in force, unless within that time an action is regularly brought by the person obtaining the order.

(4) The order shall be dealt with in the action as the court thinks fit.

97. (1) An order to hold to bail shall state the amount, including costs, for which bail is required.

(2) It shall be executed forthwith.

(3) The person arrested under it shall be entitled to be discharged from custody under it on bringing into Court the amount stated in the order, to abide the event of such action as may be brought, or on entering into a recognisance, without or with a surety or sureties, as the Court thinks fit, as security that he will abide by the orders of the Court in any action brought.

(4) He shall be liable to be detailed in custody under the order for not more than seven days, if not sooner discharged; but the Court may, from time to time, if it thinks fit, renew the order.

(5) No person, however, shall be kept in custody under any such order and renewed order for a longer time, in the whole, than thirty days.

98. (1) Where an action is brought for the recovery of a sum exceeding five pounds, and it is proved that the defendant is about to abscond for the purpose of defeating the plantiff's claim, the Court may, if it thinks fit, order that he be arrested and delivered into safe custody, to be kept until he gives bail or security, with a surety or sureties, in such sum, expressed in the order, as the Court thinks fit, not exceeding the probable amount of debt, or damages, and costs to be recovered in the action, that he will appear at any time when called on, while the action is pending, and until execution or satisfaction or any order made against him, and that, in default of appearance, he will pay any money and costs which he is ordered to pay in the action.

(2) The expenses incurred for the subsistence of the defendant while under arrest shall be paid by the plaintiffs in advance at such rate and in such amounts as the Court directs; and the total amount so paid may be recovered by the plaintiff in the action, unless the Court otherwise directs.

(3) The court may at any time, on reasonable cause shown, discharge or vary the order.

99. (1) Where it is proved that the defendant, with intent to obstruct or delay the execution of any order obtained or to be obtained against him, is about to remove any property out of the jurisdiction of the Court, the Court may, if it thinks fit, on the application of the plaintiff, order that property to be forthwith seized and secured.

(2) The court may at any time on reasonable cause shown, discharge or vary the order.

100. (1) On proof of great urgency or other peculiar circumstances, after an action is brought, the Court may, if it thinks fit, on the application of a plaintiff, or of its own motion, make an order for stopping the clearance of or for the arrest and detention of, a vessel about to leave the district, other than a vessel enjoying immunity from civil process.

(2) The Court may at any time, on reasonable cause shown, discharge or vary the order.

101. (1) If it appears to the Court that any order made under any of the last four foregoing Articles of this Order was applied for on insufficient grounds, or if the plantiff's action fails, or judgment is given against him, by default or otherwise, and it appears to the Court that there was no sufficient ground for his bringing the action, the Court may, if it thinks fit, on the application of the defendant, order the plaintiff to pay to the defendant such amount as appears to the Court to be a reasonable compensation to the defendant for the expense and injury occasioned to him by the execution of the order.

(2) Payment of compensation under this Article is a bar to any action for damages in respect of anything done in pursuance of the order, and any such action, if begun, shall be stayed by the Court in such manner and on such terms as the Court thinks fit.

102. (1) Any agreement in writing between any British subjects to submit present or future differences to arbitration, whether an arbitrator is named therein or not, may be filed in the Court by any party thereto, and, unless a contrary intention is expressed therein, shall be irrevocable and shall have the same effect as an order of the Court.

(2) Every such agreement is in this order referred to as a submission.

(3) If any action is commenced in respect of any matter covered by a submission, the Court, on the application of any party to the action, may by order stay the action.

103. (1) In any action—

(*a*) If all parties consent, or

(*b*) If the matters in dispute consist wholly or partly of matters of account, or require for their determination prolonged examination of documents or any scientific or local examination,

the Court may at any time refer the whole action, or any question or issue arising therein, for enquiry and report, to the Registrar or any special referee.

(2) The report of the Registrar or special referee may be adopted wholly or partially by the Court, and if so adopted may be enforced as a judgment of the Court.

(3) The Court may also in any case, with the consent of both parties to an action, or of any parties between whom any questions in the action arise (such consent being signified by a submission) refer the action or the portions referred to in the submission to arbitration, in such manner and upon such terms as it shall think reasonable or just.

(4) In all cases of reference to a Registrar, special Referee, or Arbitrator, under any order of the Court, the Registrar, special Referee, or Arbitrator shall be deemed to be an officer of the Court, and shall have such powers and authority, and shall conduct such reference or arbitration in such manner as may be prescribed by any rules of Court, and subject thereto as the Court may direct.

104. Subject to the Rules of Court, the Court shall have authority to enforce any submission, or any award made thereunder, and to control and regulate the proceedings before and after the award, in such manner and on such terms as the Court thinks fit.

105. (1) Each Court shall, as far as circumstances admit, have, for and within its own district, with respect to the following classes of persons being either resident in the Ottoman dominions, or carrying on business there, namely, resident British subjects and their debtors and creditors, being British subjects, or Ottoman subjects or foreigners submitting to the jurisdiction of the Court, all such jurisdiction in bankruptcy as for the time being belongs to the High Court and the County Courts in England.

(2) Proceedings in bankruptcy shall be originated by a summons to the party to be made bankrupt to show cause why he should not be adjudicated bankrupt, or by a summons, issued by a debtor himself to his creditor, or any of his creditors, to show cause why he (the debtor should not be adjudicated bankrupt.)

(3) On or at any time after the issue of such a summons the Supreme Court may stay any proceedings pending in any Court in any action, execution, or other legal process against the debtor in respect of any debt probable in bankruptcy, or it may allow such proceedings, whether pending at the commencement of the bankruptcy or began during the continuance of the bankruptcy, to proceed on such terms as the Court thinks fit.

(4) The Court may, on or at any time after the issue of such a summons, appoint a receiver or manager of the property or business of the debtor or of any part thereof, and may direct immediate possession to be taken by an officer of the Court, or under the control of the Court, of that property or business, or of any part thereof.

106. (1) The Supreme Court shall have Admiralty jurisdiction for and within the Ottoman dominions and Ottoman waters, and over vessels and persons coming within the same.

(2) The following enactments of "The Colonial Courts of Admiralty Act, 1890," that is to say, section 2, sub-sections (2) to (4); sections 5 and 6; section 6, sub-section (13); shall apply to the Supreme Court as if that Court were a Colonial Court of Admiralty, and as if the Ottoman dominions were a British possession; and for the purpose of this application the expressions "judgment" and "appeal" shall in the enactments so applied have the same respective meanings as are assigned thereto in section 15 of the said Act.

(3) During the absence from Egypt of a Judge of the Supreme Court, the jurisdiction of the Supreme Court under this Article shall, subject to any Rules of Court, be exercised by the Provincial Court at Alexandria.

107. The Supreme Court shall, as far as circumstances admit, have for and within the Ottomon dominions, with respect to British subjects, all such jurisdiction, except the jurisdiction relative to dissolution or nullity or jactitation of marriage as for the time being belongs to the High Court in England.

108. (1) The Supreme Court shall, as far as circumstances admit, have, for and within the Ottoman dominions, in relation to British subjects, all such jurisdiction relative to the custody and management of the persons and estates of lunatics, as for the time being belongs to the Lord Chancellor or other Judge or Judges in England entrusted by virtue of Her Majesty's Sign Manual with the care and commitment of the custody of the persons and estates of lunatics.

(2) A Provincial Court shall, as far as circumstances permit, have in relation to British subjects, such jurisdiction relative to the custody and management of the persons and estates of lunatics as for the time being may be prescribed by rules of Court, and until such rules are made, and so far as such rules do not apply, as may be exercised in England by the judicial authority and by the Masters in Lunacy under the provisions of "Lunacy Act, 1890," and any Act amending the same.

(3) In any such case the Provincial Court may, of its own motion, or on the application of any person interested, take or authorise such steps as to the Court may seen necessary or expedient for the immediate protection of the person and property of any person appearing to the Court to be a lunatic and may, from time to time, revoke, or vary, or supplement any order or proceeding taken in the matter.

(4) Subject to the provisions of this Article and to any rules of Court, a Provincial Court shall not proceed in any such matter except under and according to the directions of the Supreme Court.

(5) Sections 5 to 7 of "The Lunatics Removal (India) Act, 1851" (14 and 15 Vict., cap. 81), shall apply to the Ottoman dominions, with the substitution of "the Supreme Court" for "the Supreme Court of Judicature at any of the Presidencies of India." Provided that the jurisdiction of the

Supreme Court under those sections may, during the absence of a Judge thereof, be exercised in and for Egypt by the Provincial Court at Alexandria.

109. (1) The Supreme Court shall, as far as circumstances admit, have, for and within the Ottoman dominions, with respect to the wills and the property in the Ottoman dominions of deceased British subjects, all such jurisdiction as for the time being belongs to the High Court in England.

(2) A Provincial Court shall have power to grant probate or letters of administration where there is no contention respecting the right to the grant, and it is proved that the deceased was resident at his death within the particular jurisdiction.

(3) Probate or administration granted by a Court under this Order shall have effect over all the property of the deceased within the Ottoman dominions, and shall effectually discharge persons dealing with an executor or administrator thereunder, notwithstanding that any defect afterwards appears in the grant.

(4) Nothwithstanding anything in this order, the Court shall not exercise the jurisdiction conferred by this Article in any case where the deceased, though a protected person was at the time of his death an Ottoman subject and in the construction of the provisions of this Order relating to probate and administration, the expression "British subject" shall not include any such protected person.

110. A British subject may in his lifetime deposit for safe custody in the Court, his own will, sealed up under his own seal and the seal of the Court.

111. (1) Where probate, administration, or confirmation is granted in England, Ireland and Scotland, and therein, or by a Memorandum thereon signed by an officer of the Court granting the same, the testator or intestate is stated to have died domiciled in England, Ireland and Scotland (as the case may be), and the probate, administration, or confirmation is produced to, and a copy thereof is deposited with, the Supreme Court, the Court shall write thereon a certificate of that production and deposit under the seal of the Court; and thereupon notwithstanding anything in this Order, the probate, administration, and confirmation shall, with respect to the personal property in the Ottoman dominions of the testator or intestate, have the like effect as if he had been resident in those dominions at his death, and probate or administration to his personal property there had been granted by the Supreme Court.

(2) Any person who, in reliance on an instrument purporting to be a probate, administration or confirmation granted in England, Ireland or Scotland, and to bear such a certificate of the Supreme Court as in this Article prescribed, makes or permits any payment or transfer, in good faith, shall be by virtue of this Order indemnified and protected in respect thereof,

in the Ottoman dominions, notwithstanding anything affecting the validity of the probate, administration, or confirmation.

(3) The following shall be the terms of the certificate of the Supreme Court in this Article prescribed, namely:

This probate has [*or* these letters of administration have, *or* this confirmation has] been produced in this, and a copy thereof has been deposited with this Court.

112. Section 51 of "The Conveyancing (Scotland) Act, 1874," and any enactment for the time being in force amending or substituted for the same, are hereby extended to the Ottoman dominions, with the adaptation following, namely:

The Supreme Court is hereby substituted for a Court of Probate in a Colony.

113. (1) Each Consular officer shall endeavour to obtain, as early as may be, notice of the death of every British subject dying within the particular jurisdiction, whether resident or not, and all such information respecting his affairs as may serve to guide the Court with respect to the securing and administration of his property.

(2) On receiving notice of the death the Consular officer shall put up a notice thereof at the Court-house, and shall keep the same there until probate or administration is granted, or where it appears to him that probate or administration will not be applied for, or cannot be granted, for such time as he thinks fit.

114. (1) Where a British subject resident dies in the Ottoman dominions, or elsewhere, intestate, then, until administration is granted, his personal property in the Ottoman dominions shall be vested in the Judge of the Supreme Court.

(2) Where a British subject not resident dies in the Ottoman dominions, the Court within whose particular jurisdiction he dies—and where a British subject resident dies elsewhere, the Court within whose jurisdiction any property of the deceased is situate—shall, where the circumstances of the case appear to the Court so to require, forthwith on his death, or as soon after as may be, take possession of his personal property within the particular jurisdiction, or put it under the seal of the Court (in either case if the nature of the property or other circumstances so require, making an inventory), and so keep it until it can be dealt with according to law.

115. If any person named executor in the will of the deceased takes possession of and administers or otherwise deals with any part of the personal property of the deceased, and does not obtain probate within one month after the death, or after the termination of any suit or dispute respecting probate or administration, he shall be guilty of an offence and shall be liable to a fine not exceeding fifty pounds.

116. If any person, other than the person named executor or an administrator or an officer of the Court, takes possession of and administers or

otherwise deals with any part of the personal property of a deceased British subject, whether resident or not, he shall be deemed guilty of a contempt of Court, and shall be liable to a fine not exceeding fifty pounds.

117. Where a person appointed executor in a will survives the testator, but either dies without having taken probate, or having been called on by the Court to take probate, does not appear, his right in respect of the executorship wholly ceases; and, without further renunciation, the representation to the testator and the administration of his property shall go and may be committed as if that person had not been appointed executor.

118. (1) Where a British subject dies in the Ottoman dominions, any other such subject having in his possession, or under his control, any paper or writing of the deceased, being, or puporting to be testamentary, shall forthwith bring the original to the Court within whose particular jurisdiction the death happens, and deposit it there.

If any person fails to do so for fourteen days after having knowledge of the death of the deceased, he shall be guilty of an offence and liable to a fine not exceeding fifty pounds.

(2) Where it is proved that any paper of the deceased, being or purporting to be testamentary, is in the possession or under the control of a British subject, the Court may whether a suit or proceeding respecting probate or administration is pending or not, order him to produce the paper and bring it into Court.

(3) Where it appears to the Court that these are reasonable grounds for believing that any person has knowledge of any paper being or purporting to be testamentary (although it is not shown that the paper is in his possession or under his control) the Court may, whether a suit or proceeding for probate or administration is pending or not, order that he be examined respecting it before the Court or elsewhere, and that he do attend for that purpose, and after examination order that he do produce the paper and deposit it in Court.

119. (1) A person claiming to be a creditor or legatee, or the next-of-kin, or one of the next-of-kin, of a deceased person may apply for and obtain a summons from the Court requiring the executor or administrator (as the case may be) of the deceased to attend bofore the Court and show cause why an order should not be made for the administration of the property under the direction of the Court.

(2) On proof of service of the summons, or on appearance of the executor or administrator, and on proof of all such other things (if any) as the Court thinks fit, the Court may, if it thinks fit, make an immediate order for such administration.

(3) The Court shall have full discretionary power to make or refuse any such Order, or to give any special directions respecting the carriage or execution of it, and in the case of applications for such an order by two or more different persons or classes of persons, to grant the same to such one or more of the claimants, or classes of claimants, as the Court thinks fit.

(4) If the Court thinks fit, the carriage of the order may subsequently be given to such person, and on such terms, as the Court thinks fit.

(5) On making such an order, or at any time afterwards, the Court may, if it thinks fit, make any further or other order for compelling the executor or administrator to bring into Court for safe custody all or any part of the money, or securities, or other property of the deceased, from time to time coming to his hands, or otherwise for securing the safe keeping of the property of the deceased, or any part thereof.

(6) If the extreme urgency or other peculiar circumstances of the case appear to the Court so to require (for reasons recorded in the minutes), the Court may of its own motion issue such a summons, and make such an order or such orders and cause proper proceedings to be taken thereon.

120. (1) In a case of apparent intestacy where the circumstances of the case appear to the Court so to require (for reasons recorded in the Minutes), the Court may, if it thinks fit, of its own motion, grant administration to an officer of the Court.

(2) The officer so appointed shall act under the direction of the Court, and shall be indemnified thereby.

(3) He shall publish such notices, if any, as the Court thinks fit, in the Ottoman dominions, the United Kingdom, India, and elsewhere.

(4) The Court shall require and compel him to file in the Court his accounts of his administration at intervals not exceeding three months.

(5) The accounts shall be in all cases audited by the Supreme Court; for which purpose every Provincial Court shall, on the first day of February and the first day of August in every year, send to the Supreme Court all accounts so filed in the then last preceding half-year.

(6) A commission of five per cent., or such less amount as the Secretary of State directs, may be charged on an estate administered under this Article, and the amount thereof shall be calculated and applied as the Secretary of State directs.

(7) All expenses incurred on behalf of the Court in the execution of this Article and the said commission shall be the first charge on the personal property of the deceased in the Ottoman dominions, and the Court shall, by sale of part of that property or otherwise, provide for the discharge of those expenses and the payment of the said commission.

121. Where it appears to the Court that the value of the property or estate of a deceased person does not exceed one hundred pounds, the Court may, without any probate or letters of administration, or other formal proceeding, pay thereout any debts or charges, and pay, remit or deliver any surplus to such persons, subject to such conditions (if any) as the Court thinks proper, and shall not be liable to any action, suit, or proceedings in respect of anything done under this Article. Every proceeding of the Court under this Article shall be recorded in the Minutes.

122. (1) Where an action in a Provincial Court involves the amount or value of fifty pounds or upwards, any party aggrieved by any decision of that Court, with or without assessors, in the action shall have the right to appeal to the Supreme Court against the same, on the following conditions, namely:

(i) The appellant shall give security to the satisfaction of the Provincial Court to an amount not exceeding one hundred pounds for prosecution of the appeal, and for payment of any costs that may be ordered by the Supreme Court on the appeal to be paid by the appellant to any person;

(ii) The appellant shall pay to the Provincial Court such sum as the Provincial Court thinks reasonable, to defray the expense of the making up and transmission of the record to the Supreme Court.

(2) In any other case a Provincial Court may, if it thinks fit, give leave to appeal on the conditions aforesaid.

(3) In any case the Supreme Court may give leave to appeal on such terms as it thinks fit.

(4) After three months from the date of a decision of the Provincial Court, an appeal against it shall not lie except by leave of the Supreme Court.

(5) After six months from the date of a decision of the Provincial Court, application for leave to appeal against it shall not be entertained by the Supreme Court.

123. (1) Where a person ordered to pay money, or to do any other thing, appeals, the Provincial Court shall direct either that the decision appealed from be carried into execution or that the execution thereof be suspended pending the appeal, as that Court thinks fit.

(2) If the Provincial Court directs the decision to be carried into execution, the person in whose favour it is given shall, before the execution of it, give security to the satisfaction of the Court for performance of any order to be made on appeal.

(3) If the Provincial Court directs the execution of the decision to be suspended, the person against whom it is given shall, before an order for suspension is made, give security to the satisfaction of the Provincial Court for performance of such order as shall be made on appeal.

124. (1) The Appellant shall file an appeal motion-paper in the Provincial Court.

(2) He may at the same time file any argument which he desires to submit to the Supreme Court in support of the appeal.

(3) Copies of the motion-paper and the argument (if any) shall be served on such persons as respondents as the Provincial Court directs.

125. (1) A respondent may, within the prescribed time after service of the motion-paper, file in the Provincial Court a motion-paper of cross-appeal (if any) and such argument as he desires to submit to the Supreme Court on the appeal and cross-appeal, if any.

(2) Copies thereof shall be furnished by the Provincial Court to such persons as that Court thinks fit.

126. (1) On the expiration of the prescribed time last referred to, the Provincial Court shall, without the application of any party, make up the record of appeal, which shall consist of the writ of summons, statements of claim and defence (if any), orders, and proceedings, all written and documentary evidence admitted or tendered, or a certified copy thereof, and the notes of the oral evidence, the appeal and cross-appeal motion-paper and the arguments (if any).

(2) The several pieces shall be fastened together, consecutively, numbered; and the whole shall be secured by the seal of the Court, and be forthwith forwarded by it to the Supreme Court.

The Provincial Court shall not, except for some special cause, take on itself the responsibility of the charge, or of the transmission to the Supreme Court, of original letters or documents produced in evidence. They shall be returned to the parties producing them; and those parties shall produce the originals, if required by the Supreme Court, at or before the hearing of the appeal.

127. (1) After the record of appeal is transmitted, until the appeal is disposed of, the Supreme Court shall be in exclusive possession of the whole action, as between the parties to the appeal.

(2) Every application in the action, as between the parties to the appeal, shall be made to the Supreme Court, and not to the Provincial Court; but any application may be made through the Provincial Court.

128. (1) The Supreme Court shall, after receiving the record of appeal, fix a day for the hearing of the appeal, and shall give notice thereof through the Provincial Court to the parties to the appeal, such a day being fixed as will allow of the parties attending in person or by counsel or solicitor; if they so desire.

(2) But if all the separate parties to an appeal appear in person before the Supreme Court, or appoint persons there to represent them as their counsel or solicitors in the appeal, and cause the appearance or appointment to be notified to the Supreme Court, the Supreme Court may dispose of the appeal, without being required to give notice through the Provincial Court, to the parties to the appeal, of the day fixed for the hearing thereof.

129. The Supreme Court may, if it thinks fit, require a party to an appeal to appear personally before it on the hearing of the appeal, or on any occasion pending the appeal.

130. It is not open, as of right, to a party to an appeal to adduce new evidence in support of his original case, but a party may allege any

material facts that have come to his knowledge after the decision of the Provincial Court, and the Supreme Court may in any case, if it thinks fit, allow or require new evidence to be adduced.

131. (1) The Supreme Court may make any orders necessary for determining the real question in controversy in the action as among the parties to the appeal, and for that purpose may amend any defect or error in the record of appeal, and may enlarge the time for any proceeding except as otherwise by this Order expressly provided.

(2) The Supreme Court may direct the Provincial Court to inquire into and certify its finding on any question, as between the parties to the appeal, or any of them, which the Supreme Court thinks fit to determine before final judgment is given in the appeal.

(3) Generally, the Supreme Court shall, as among the parties to the appeal, have as full jurisdiction over the whole action as if it had been originally instituted and prosecuted in the Supreme Court by parties subject to the original jurisdiction of the Supreme Court.

(4) The Supreme Court may, if it thinks fit, remit the action to the Provincial Court, to be reheard, or to be otherwise dealt with as the Supreme Courts directs.

(5) The powers of the Supreme Court under this Order may be exercised, notwithstanding that the appeal is brought against part only of the decision of the Provincial Court.

(6) Those powers may be exercised in favour of all or any of the parties to the action, although they have not appealed from, or complained of, the decision.

132. (1) Notwithstanding anything in this Order, an appeal to the Supreme Court shall not lie from an order of the Provincial Court, made on the application of one party, without notice to the other party.

(2) But, if any person thinks himself aggrieved by such an order, he may, on notice to the other party, apply to the Provincial Court to vary or discharge the order, and an appeal shall lie from the decision on that application.

133. (1) Where a final judgment or order of the Supreme Court made in a civil action involves the amount or value of five hundred pounds or upwards, any party aggrieved thereby may, within the prescribed time, or, if no time is prescribed, within fifteen days after the same is made or given apply by motion to the Supreme Court for leave to appeal to Her Majesty the Queen in Council.

(2) The applicant shall give security to the satisfaction of the Court to an amount not exceeding five hundred pounds for prosecution of the appeal, and for payment of all such costs as may be awarded to any respondent by Her Majesty in Council, or by the Lords of the Judicial Committee of Her Majesty's Privy Council.

(3) He shall also pay into the Supreme Court a sum estimated by that Court to be the amount of the expense of the making up and transmission to England of the transcript of the record.

(4) If security and payment are so given and made within one month from the filing of the motion-paper for leave to appeal, then, and not otherwise, the Supreme Court shall give leave to appeal, and the appellant shall be at liberty to prefer and prosecute his appeal to Her Majesty in Council according to the rules for the time being in force respecting appeals to Her Majesty in Council from Her Colonies, or such other rules as Her Majesty in Council from time to time thinks fit to make concerning appeals from the Supreme Court.

(5) In any case the Supreme Court, if it considers it just or expedient to do so, may give leave to appeal on the terms and in the manner aforesaid.

134. (1) Where leave to appeal to Her Majesty in Council is applied for by a person ordered to pay money or do any other act, the Supreme Court shall direct either that the order appealed from be carried into execution or that the execution thereof be suspended pending the appeal, as the Court thinks just.

(2) If the Court directs the order to be carried into execution, the person in whose favour it is made shall, before the execution of it, give security to the satisfaction of the Court for performance of such order as Her Majesty in Council may think fit to make.

(3) If the Court directs the execution of the order to be suspended, the party against whom it is given shall, before an order for suspension is made, give security to the satisfaction of the Court for performance of such order as Her Majesty in Council may think fit to make.

135. This Order shall not affect the right of Her Majesty at any time on the humble petition of a person aggrieved by a decision of the Supreme Court, to admit his appeal thereon on such terms and in such manner as Her Majesty in Council may think fit, and to deal with the decision appealed from in such manner as may be just.

PART V.—*Procedure, Criminal and Civil.*

136. It shall be lawful for the Supreme Court to make Rules of Court and to prescribe Forms of Procedure as to all civil or criminal matters, subject to the approval of the Secretary of State.

Until such rules and forms have been made, or in relation to matters to which they do not extend, a Court may adopt and use any procedure or forms heretofore in use in the Consular Courts in the Ottoman dominions, or any Regulations or Rules made thereunder and in force immediately before the commencement of this Order, with any modifications or adaptations which may be necessary.

No proceedings shall be invalidated by any informality, mistake or omission, so long as, in the opinion of any Court before which any question arises, the essential requisites of law and justice have been complied with.

Provision may, amongst other things, be made by rules under this Article—

(*a*) For authorising the Court to grant and enforce search warrants;

(*b*) For regulating the procedure in the case of references or arbitrations before Registrars, special Referees or Arbitrators appointed by the Court and for enforcing awards;

(*c*) For enforcing by distress, or by attachment, or commitment, judgments or orders of the Court, or payment of any damages, costs, penalties, fines, or forfeitures;

(*d*) For the sale of things forfeited;

(*e*) For garnishee process;

(*f*) For attachments of property in order to compel appearance or submission to the jurisdiction or process of the Court, and authorizing the Court to compel, by fine distress, or recognisance, or in default of security by commitment, the attendance of witnesses before the Court, or before a Colonial or other Court to which a case is sent for trial;

(*g*) For regulating the mode in which legal practitioners are to be admitted to practise as such, and for withdrawing the right to practise on grounds of misconduct;

(*h*) For prescribing and enforcing the fees to be taken in respect of any proceedings under this Order, not exceeding, as regards any matters provided for by "The Consular Salaries and Fees Act, 1891," fees fixed and allowed from time to time any Order in Council made under that Act;

(*i*) For prescribing a scale of payments to be made to a complainant or witness, or a jury or Assessors (in criminal cases only), and the conditions upon which an order may be made by the Court for such payments;

(*j*) For prescribing scales of costs to be paid to practitioners;

(*k*) For taking and transmitting depositions of witnesses for use at trials in a Colony or in England.

Provided that the scales of all fees, expenses, and costs prescribed under the provisions of this Order shall have been sanctioned by the Treasury.

Provided also that any legal practitioner, whose right to practise before the Supreme Court has been withdrawn, shall be entitled to appeal to Her Majesty in Council.

137. (1) The Court may in any case, if it thinks fit, on account of the poverty of a party, or for any other reason, provisionally dispense with the payment of any fee in whole or in part.

(2) Payment of fees payable under any rules to be made in pursuance of this Order, and of costs and of charges and expenses of witnesses, prosecutions, punishments, and deportations, and of other charges and expenses, and of fines respectively payable under this Order, may be enforced under order of the Court by seizure and sale of goods, and, in default of sufficient goods, by imprisonment as a civil prisoner for a term not exceeding one month, but such imprisonment shall not operate as a satisfaction or extinguishment of the liability.

(3) Any bill of sale or mortgage, or transfer of property made with a view of avoiding seizure or sale of goods or ship under any provision of this Order, shall not be effectual to defeat the provisions of this Order.

138. (1) Every summons, order, and other document issuing from the Court shall be in English, French, or Italian.

(2) Every pleading and other document filed in the Court in a civil or criminal proceeding by a party thereto shall be in English, or French, or Italian.

(3) Every affidavit used in the Court shall be in English or in the ordinary language of the person swearing it.

(4) An affidavit in any language other than English, or French or Italian shall be accompanied by a sworn translation into English, or French or Italian, procured by and at the expense of the person using the affidavit.

(5) Where there is a jury all the proceedings before the jury shall be conducted in English—evidence, if given in any other language, being interpreted.

139. (1) Summonses, orders and other documents issuing from the Supreme Court, shall be sealed with the seal of that Court.

(2) Those issuing from a Provincial or Local Court shall be sealed with the official seal of the Consular officer by whom they are issued.

140. (1) In every case, civil or criminal, Minutes of the proceedings shall be drawn up, and shall be signed by the Judge or Consular officer before whom the proceedings are taken, and shall where the trial is held with Assessors, be open for their inspection and for their signature if concurred in by them.

(2) These Minutes, with the depositions of witnesses, and the notes of evidence taken at the hearing or trial by the Judge or Consular officer, shall be preserved in the public office of the Court.

141. (1) Every person doing an act or taking a proceeding in the Court as plaintiff in a civil case, or as making a criminal charge against

another person, or otherwise, shall do so in his own name and not otherwise and either—

(*a*) By himself; or

(*b*) By a legal practitioner; or

(*c*) By his attorney or agent thereunto lawfully authorized in writing and approved by the Court.

(2) Where the act is done or proceeding taken by an attorney (other than a legal practitioner), or by an agent, the power of attorney, or instrument authorizing the agent, or an authenticated copy thereof, shall be first filed in the Court.

(3) Where the authority has reference only to the particular proceeding, the original document shall be filed.

(4) Where the authority is general, or has reference to other matters in which the attorney, or agent is empowered to act, an authenticated copy of the document may be filed.

142. (1) In any case, criminal or civil, and at any stage thereof, the Court either of its own motion or on the application of any party, may summon a British subject to attend to give evidence, or to produce documents, or to be examined.

(2) If the person summoned, having reasonable notice of the time and place at which he is required to attend, and his reasonable expenses having been paid or tendered, fails to attend and be sworn, and give evidence, or produce documents, or submit to examination accordingly, and does not excuse his failure to the satisfaction of the Court, he shall be guilty of an offence against this Order.

(3) A person punished under this Article shall not be liable to an action in respect of the same matter; and any such action if begun, shall be stayed by the Court in such a manner and on such terms as the Court thinks fit.

143. If, in a criminal case, a witness appearing before the Court, either in obedience to a summons, or on being brought up under a warrant, refuses to take an oath, or, having taken an oath, to answer any question put to him, and does not excuse his refusal to the satisfaction of the Court, he shall be guilty of an offence, and shall be liable to be forthwith committed to prison, for not more than seven days.

144. The following Acts, namely:

"The Foreign Tribunals Evidence Act, 1856,"

"The Evidence by Commission Act, 1859,"

"The Evidence by Commission Act, 1885," or so much thereof as is for the time being in force, and any enactment for the time being in force amending or substituted for the same, are hereby extended to the Ottoman dominions, with the adaptations following, namely:

In the said Acts the Supreme Court is hereby substituted for a Supreme Court in a Colony.

145. The following Acts, namely:

"The British Law Ascertainment Act, 1859,"

"The Foreign Law Ascertainment Act, 1861," or so much thereof as is for the time being in force, and any enactment for the time being in force amending or substituted for the same, are hereby extended to the Ottoman dominions, with the adaptation following, namely:

In the said Acts the Supreme Court is hereby substituted for a Superior Court in a Colony.

146. If in any case, civil or criminal, a British subject wilfully gives false evidence on oath in the Court, or on a reference, he shall be deemed guilty of wilful and corrupt perjury.

147. The Supreme Court may, if it thinks fit, order that a Commission do issue for examination of witnesses at any place out of the Ottoman dominions, on oath, by interrogatories or otherwise, and may, by order, give such directions touching the time, place, and manner of the examination, or anything connected therewith, as to the Court appear reasonable and just.

148. (1) Every male resident subject,—being of the age of twenty-one years or upwards,—having a competent knowledge of the English language,—having or earning a gross income at such rate as may be fixed by Rules of Court,—not having been attainted of treason or felony, or convicted of any crime that is infamous (unless he has obtained a free pardon)—and not being under outlawry,—shall be qualified to serve on a jury.

(2) All persons so qualified shall be liable so to serve, except the following:

Persons in Her Majesty's Diplomatic, Consular, or other Civil Service, in actual employment;

Officers, clerks, keepers of prisons, messengers, and other persons attached to or in the service of the Court;

Officers and others on full pay in Her Majesty's navy or army, or in actual employment in the service of any Department connected therewith;

Persons holding appointments in the Civil, naval, or military service of the Sublime Ottoman Porte;

Clergymen and ministers in the actual discharge of professional duties;

Legal practitioners in actual practice;

Physicians, surgeons, and apothecaries in actual practice;

Persons disabled by mental or bodily infirmity.

(3) A jury shall consist of five jurors.

(4) In civil and in criminal cases the like challenges shall be allowed as in England,—with this addition, that in civil cases each party may challenge three jurors peremptorily.

(5) A jury shall be required to give an unanimous verdict.

(6) Where there is to be a hearing with a jury, the court shall summon so many of the persons comprised in the jury list, not fewer than twelve, as seem requisite.

(7) Any person failing to attend according to the summons shall be deemed guilty of a contempt of Court, and shall be liable to a fine not exceeding ten pounds.

149. (1) An Assessor shall be a competent and impartial subject, of good repute, resident in the district of the particular Court, and nominated and summoned by the Court for the purpose of acting as Assessor.

(2) In the Supreme Court there may be one Assessor or two Assessors, as the Court thinks fit.

(3) In a Provincial Court there shall ordinarily be not fewer than two, and not more than four, Assessors. Where, however, by reason of local circumstances, the Court is able to obtain the presence of one Assessor only, the Court may, if it thinks fit, sit with one Assessor only: and where, for like reasons, the Court is not able to obtain the presence of any Assessor, the Court may, if it thinks fit, sit without an Assessor,—the Court, in every case, recording in the Minutes its reasons for sitting with one Assessor only or without an Assessor.

(4) An Assessor shall not have any voice in the decision of the Court in any case, civil or criminal; but an Assessor dissenting, in a civil case, from any decision of the Court, or, in a criminal case, from any decision of the Court or the conviction or the amount of punishment awarded, may record in the Minutes his dissent, and the grounds thereof, and shall be entitled to receive without payment, a certified copy of the Minutes. An Assessor dissenting shall be entitled to receive, without payment, a certified copy of the Minutes.

PART VI.—*Ottoman and Foreign Subjects and Tribunals.*

150. (1) Where an Ottoman subject or foreigner desires to institute or take in the Court an action against a British subject, or a British subject desires to institute or take in the Court an action against an Ottoman subject or foreigner, the Court shall entertain the same, and shall hear and determine it, either by the Court sitting alone, or, if all parties desire, or the Court, having regard to its jurisdiction, thinks fit to direct, a trial with a jury or assessors, then with a jury or assessors, but in all other respects according to the ordinary course of the Court.

(2) Provided that the Ottoman subject or foreigner, if so required by the Court, first obtains and files in the Court the consent in writing of the competent authority on behalf of the Sublime Ottoman Porte or of his own

nation (as the case may be) to his submitting, and does submit, to the jurisdiction of the Court, and, if required by the Court, give security to the satisfaction of the Court, and to such reasonable amount as the Court thinks fit, by deposit or otherwise, to pay fees, damages, costs, and expenses, and abide by and perform such decision as shall be given by the Court or on appeal.

(3) A cross-action shall not be brought in the Court against a plaintiff, being an Ottoman subject or foreigner who has submitted to the jurisdiction, by a defendant, without leave of the Court first obtained, but the Court may, as a condition of entertaining the plaintiff's action, require his consent to any cross action or matter of set-off being entertained by the Court.

(4) The Court before giving leave may require proof from the defendant that his claim arises out of the matter in dispute, and that there is reasonable ground for it, and that it is not made for vexation or delay.

(5) Nothing in this Article shall prevent the defendant from bringing in the Court any action against the Ottoman subject or foreigner after the termination of the action in which the Ottoman subject or foreigner is plaintiff.

(6) Where an Ottoman subject or foreigner obtains in the Court an order against a defendant being a British subject, and in another suit that defendant is plaintiff and the Ottoman subject or foreigner is defendant, the Court may, if it thinks fit, on the application of the British subject, stay the enforcement of the order pending that other suit, and may set off any amount ordered to be paid by one party in one suit against any amount ordered to be paid by the other party in the other suit.

(7) Where a plaintiff, being an Ottoman subject or foreigner, obtains an order in the Court against two or more defendants being British subjects jointly, and in another action one of them is plaintiff and the Ottoman subject or foreigner is defendant, the Court may, if it thinks fit, on the application of the British subject, stay the enforcement of the order pending that other action, and may set off any amount ordered to be paid by one party in one action against any amount ordered to be paid by the other party in the other action, without prejudice to the right of the British subject to require contribution from his co-defendants under the joint liability.

(8) Where an Ottoman subject or foreigner is co-plaintiff in a suit with a British subject who is within the particular jurisdiction, it shall not be necessary for the Ottoman subject or foreigner to give security for costs, unless the Court so directs, but the co-plaintiff British subject shall be responsible for all fees and costs.

151. (1) Where it is proved that the attendance within the particular jurisdiction of a British subject to give evidence, or for any other purpose connected with the administration of justice, is required in a Court or before a judicial officer of the Sublime Ottoman Porte, or of a State in amity with

Her Majesty, the Court may, if it thinks fit, in a case and in circumstances in which the Court would require his attendance before the Court, order that he do attach in such Court, or before such judicial officer, and for such purpose as aforesaid.

(2) If the person ordered to attend, having reasonable notice of the time and place at which he is required to attend, fails to attend accordingly, and does not excuse his failure to the satisfaction of the Court, he shall (independently of any other liability) be guilty of an offence against this Order.

152. When a British subject invokes or submits to the jurisdiction of an Ottoman or foreign Tribunal, and engages in writing to abide by the decision of such Tribunal, or to pay any fees or expenses ordered by such Tribunal to be paid by him, any Court under this Order may, on such evidence as it thinks fit to require, enforce payment of such fees and expenses in the same manner as if they were fees payable in a proceeding by such person in that Court and shall pay over or account for the same when levied to the proper Ottoman or foreign authority, as the Court may direct.

153. (1) Subject to the Rules, persons competent to be Assessors in any Court under this Order may be required to attend as Assessors in cases in which British subjects are parties before any Ottoman Tribunal; but every Assessor so required must be acquainted with the French or Turkish language.

(2) Any Rules made by the Supreme Court in pursuance and in accordance with the provisions of this Order may comprise Rules respecting the qualification, selection, appointment, registration, attendance, and remuneration of Assessors in such cases as aforesaid, and respecting the establishment in any part of the Ottoman dominions and the regulation of a fund, hereinafter called an Assessors' Fund, for the remuneration of Assessors before any Ottoman Tribunals in such part of the Ottoman dominions.

(3) Such rules may provide for compelling the service of any qualified person, and may prescribe penalties for neglect or refusal, without reasonable excuse, to serve in accordance with the terms of such regulations. Such penalties shall not exceed the equivalent of five pounds in respect of any one day.

(4) Any such penalties shall be recoverable in the Court as a civil debt by any Consular officer, and shall be carried to the Assessors' Fund.

(5) Every person requiring the attendance of one or more Assessors may be required to pay in advance such fee or fees as the rules direct.

(6) The Court may, out of any moneys in its hands arising from fees of Court or other fees, or moneys received under this order, advance or pay the amount of the salary or remuneration of an Assessor.

(7) The Court shall account for all receipts and payments in respect of the Assessors' Fund in such manner as the Secretary of State directs.

154. (1) If a British subject—

(i) Publicly derides, mocks, or insults any religion established or observed within the Ottoman dominions; or

(ii) Publicly offers insult to any religious service, feast, or ceremony established or kept in any part of those dominions, or to any place of worship, tomb, or sanctuary belonging to any religion established or observed within those dominions, or belonging to the ministers or professors thereof; or

(iii) Publicly and wilfully commits any act tending to bring any religion established or observed within those dominions, or its ceremonies, mode of worship, or observances, into hatred, ridicule, or contempt, and thereby to provoke a breach of the public peace;

he shall be guilty of an offence, and on conviction thereof, before the Supreme Court or a Provincial Court, liable to imprisonment not exceeding two years, with or without hard labour, and with or without a fine not exceeding one hundred pounds, or to a fine alone not exceeding one hundred pounds.

(2) Notwithstanding anything in this order, every charge under this Article shall be heard and determined by the Court alone, without jury or assessors, and any Provincial Court shall have power to impose the punishment aforesaid.

(3) Consular officers shall take such precautionary measures as seem to them proper and expedient for the prevention of such offences.

155. (1) If a British subject—

(i) Smuggles, or attempts to smuggle, out of the Ottoman dominions any goods on exportation whereof a duty is payable to the Ottoman or Egyptian Government;

(ii) Imports or exports, or attempts to import or export, into or out of the Ottoman dominions any goods, intending and attempting to evade payment of duty payable thereon to the Ottoman or Egyptian Government;

(iii) Imports or exports, or attempts to import or export, into or out of the Ottoman dominions, any goods the importation or exportation whereof into or out of the Ottoman dominions is prohibited by law;

(iv) Without a proper licence, sells, or attempts to sell, or offers for sale in the Ottoman dominions, any goods whereof the Ottoman or Egyptian Government has by law a monopoly;

in each of the four cases aforesaid he shall be guilty of a grave offence against this order.

(2) Where a person is charged with such an offence as in this Article is mentioned, the Court may seize the goods in relation to which the alleged offence was committed, and may hold the same until after the hearing of the charge.

(3) If a person so charged is convicted, then those goods, whether they have been so seized or not, shall be forfeited to Her Majesty the Queen; and the Court shall either deliver them to the proper Ottoman or Egyptian officer, for the use of the Ottoman or Egyptian Government, as the case may be, or shall dispose of them otherwise, as the Court thinks fit.

156. (1) Where by agreement among the Diplomatic or Consular Representatives in the Ottoman dominions or Foreign States, or some of them, in conjunction with the Ottoman or Egyptian authorities, sanitary, or police, or port, or game, or other regulations are established, and the same, as far as they affect British subjects, are approved by the Secretary of State, the Court may, subject and according to the provisions of this order, entertain any complaint made against a British subject for a breach of those regulations, and may enforce payment of any fine incurred by that subject or person in respect of that breach, in like manner, as nearly as may be, as if that breach were by this order declared to be an offence against this order.

(2) In any such case the fine recovered, shall, notwithstanding anything in this order, be disposed of and applied in manner provided by those regulations.

157. Every person subject to the criminal jurisdiction of the Court who prints, publishes, or offers for sale any printed or written news-paper or other publication containing matter calculated to excite tumult or disorder, or to excite enmity between Her Majesty's subjects and the Government of any part of the Ottoman dominions, or between that Government and its subjects, shall be guilty of an offence against this order, and may, in addition to or in lieu of any other punishment, be ordered to give security for good behaviour; and in default thereof, or on a further conviction for the like offence, he may be ordered to be deported.

An offence against this Article shall not be tried except by the Supreme Court.

PART VII—*Miscellaneous.*

158. (1) If an officer of the Court employed to execute an order loses by neglect or omission the opportunity of executing it then, on complaint of the person aggrieved, and proof of the fact alleged, the Court may, if it thinks fit, order the officer to pay the damages sustained by the person complaining, or part thereof.

(2) The order shall be enforced as an order directing payment of money.

159. (1) If a clerk or officer of the Court, acting under pretence of the process or authority of the Court, is charged with extortion, or with

not paying over money duly levied, or with other misconduct, the Court, if it thinks fit, may inquire into the charge in a summary way, and may for that purpose summon and enforce the attendance of all necessary persons, as in an action, and may make such order for the repayment of any money extorted, or for the payment over of any money limit, and for the payment of such damages and costs, as the Court thinks fit.

(2) The Court may also, if it thinks fit, on the same inquiry, impose on the clerk or officer such fine, not exceeding five pounds for each offence, as the Court thinks fit.

(3) A clerk or officer punished under this Article shall not be liable to an action in respect of the same matter; and any such action, if begun, shall be stayed by the Court in such manner and on such terms as the Court thinks fit.

160. (1) If any person, subject to the criminal jurisdiction of a Court, does any of the following things, namely:—

(*a*) Wilfully, by act or threat, obstructs an officer of, or person executing any process of, the Court in the performance of his duty; or

(*b*) Within or close to the room or place where the Court is sitting wilfully misbehaves in a violent, threatening, or disrespectful manner, to the disturbance of the Court, or to the intimidation of suitors or others resorting thereto; or

(*c*) Wilfully insults any member of the Court, or any assessor or juror, or any person acting as a clerk or officer of the Court, during his sitting or attendance in Court, or in his going to or returning from Court; or

(*d*) Does any act in relation to the Supreme Court or a Provincial Court or a matter pending therein, which, if done in relation to the High Court in England, would be punishable as a contempt of that Court.

He shall be guilty, in the case of the Supreme Court or a Provincial Court of a grave offence, and in the case of a Local Court of an offence, against this Order;

Provided that the Supreme Court or a Provincial Court, if it thinks fit, instead of directing proceedings as for an offence against this Order, may order the offender to be apprehended forthwith, with or without warrant, and on inquiry and consideration, and after the hearing of any defence which such person may offer, without further process or trial, may adjudge him to be punished with a fine not exceeding ten pounds, or with imprisonment not exceeding twenty-four hours, at the discretion of the Court.

(2) A Minute shall be made and kept of every such case of punishment recording the facts of the offence, and the extent of the punishment.

the case of a Provincial Court, a copy of the Minute shall be forthwith sent to the Supreme Court, and in the case of a Local Court, to the Provincial Court.

(3) Nothing herein shall interfere with the power of the Court to remove or exclude persons who interrupt or obstruct the proceedings of the Court.

161. Nothing in the Order shall deprive the Court of the right to observe, and to enforce the observance of, or shall deprive any person of the benefit of, any reasonable custom existing in the Ottoman dominions, unless this Order contains some express and specific provision incompatible with the observance thereof.

162. Nothing in this Order shall prevent any Consular officer in the Ottoman dominions from doing anything which Her Majesty's Consuls in the dominions of any other State in amity with Her Majesty are, for the time being, by law, usage, or sufferance, entitled or enabled to do.

163. The Ambassador and the Judge of the Supreme Court shall have power to make and alter Regulations (to be called Queen's Regulations) for the following purposes, that is to say:

(1) For securing the observance of any Treaty for the time being in force relating to any place to which this Order applies, or of any native or local law or custom, whether relating to trade, commerce, revenue, or any other matter.

(2) For the peace, order, and good government of British subjects within any such place in relation to matters not provided for by this Order.

(3) For requiring Returns to be made of the nature, quantity, and value of articles exported from or imported into his district or any part thereof, by or on account of any British subject who is subject to this Order, or in any British ship, and for prescribing the times and manner at or in which, and the persons by whom, such Returns are to be made.

(4) For the governance, visitation, care, and superintendence of prisons.

Any Regulations made under this Article may provide for forfeiture of any goods, receptacles, or things in relation to which, or to the contents of which, any breach is committed of such Regulations, or of any Treaty or any native or local law or custom, the observance of which is provided for by such Regulations.

Any Regulation made under this Article shall when allowed by the Secretary of State, and published as he directs, have effect as if contained in this Order.

164. (1) Her Majesty's Consuls in the Ottoman dominions may levy dues not exceeding the rate of two pence a ton on every British merchant-ship (*a*) visiting or passing Constantinople, or visiting any other port in a Consular district, or (*b*) being at any other place within the Consular district of Constantinople, and having occasion to send any seamen to the British hospital at Constantinople.

The produce of the said dues shall be applied towards the establishment, maintenance, and support, in the Ottoman dominions, of British hospitals; and the dues shall be called hospital dues.

The Secretary of State may, by writing under his hand, issue such instructions as to him seem fit, for the following purposes, or any of them (that is to say):

For fixing (within the limit of two pence a-ton) the rate per ton at which the hospital dues are to be levied at any port;

For exempting any ship in respect whereof, within any defined period, the hospital dues have once been paid, from any further payment thereof;

For regulating the application of the produce of the hospital dues;

For limiting the extent to which any Consul shall exercise jurisdiction over British subjects in the Ottoman dominions in any matter relating to the hospital dues.

(2) A further fee of ten shillings shall be charged at Her Majesty's Consulate at Constantinople for each application for a Firman or Firmans for each British ship in order to pass the Straits.

(3) Any master of a British ship who fails to pay the said dues or fee or evades the payment thereof, shall be guilty of an offence against this Order, and the amount of such dues or fee, and of any fine imposed, may be levied by seizure and sale of the ship.

(4) No dues under this Article shall be levied in Egypt unless the Secretary of State shall by order so direct.

165. (1) Every British subject resident shall, in January in every year, register himself at the Consulate of the Consular district within which he is resident; provided that—

(*a*) The registration of a man shall comprise the registration of his wife, if living with him, and (*b*) the registration of the head of a family shall be deemed to comprise the registration of all females and minors being his relatives, in whatever degree, living under the same roof with him at the time of his registration.

(2) The Consular officer may, without fee, register any British subjects being minors living in the houses of foreigners or Ottoman subjects.

(3) Every British subject arriving at a place in the Ottoman dominions where there is a Consular office, unless borne on the muster-roll of a British

ship there arriving, shall, on the expiration of one month after arrival, be deemed for the purposes of this Article to be resident, and shall register himself accordingly.

(4) A person shall not be required to register himself oftener than once in a year, reckoned from the 1st January.

(5) The Consular officer shall yearly give to each person registered by him a certificate of registration, signed by him and sealed with his consular seal.

(6) The name of a wife, if her registration is comprised in her husband's shall, unless in any case the Consular officer sees good reason to the contrary, be endorsed on the husband's certificate.

(7) The names and descriptions of females and minors whose registration is comprised in that of the head of the family shall, unless in any case the Consular officer sees good reason to the contrary, be endorsed on the certificate of the head of the family.

(8) In the case of a British-protected person, the date of issue and the duration of the certificate shall be endorsed in Turkish or Arabic on the certificate.

(9) Every person shall, on every registration of himself, pay a fee of two shillings and six pence, or such other fee as the Secretary of State from time to time appoints.

(10) The amount of the fee may be uniform for all persons, or may vary according to the position and circumstances of different classes, if the Secretary of State from time to time so directs, but may not in any case exceed five shillings.

(11) Every person by this Order required to register himself or herself shall, unless excused by the Consular officer, attend personally for that purpose at the Consulate, on each occasion of registration.

(12) If any person fails to comply with the provisions of this Order respecting registration, and does not excuse his or her failure to the satisfaction of the Consular officer he or she shall be guilty of an offence against this Order, and any Court or authority may, if it thinks fit, decline to recognise him as a British subject.

166. Except as in this Order otherwise provided, all fees, dues, fines, and other receipts under this Order shall be carried to the public account, and shall be accounted for and paid as the Secretary of State, with the concurrence of the Treasury, directs.

167. Where, by virtue of this Order or otherwise, any Imperial Act or any Law in force in a British Possession, Colony, or Settlement, is applicable in any place within the limits of this Order, such Act or Law shall be deemed applicable so far only as the constitution and jurisdiction of the Courts acting under this Order and the local circumstances permit, and, for the purpose of facilitating the application of any such Act or Law, it may be construed with such alterations and adaptations not affecting the

substance as may be necessary, and anything by such Act or Law required to be done by or to any Court, Judge, officer, or authority may be done by or to a Court, Judge, officer, or authority having the like or analogous functions, or by or to any officer designated by the Court for that purpose, and the seal of the Court may be substituted for any seal required by any such Act or Law; and in case any difficulty occurs in the application of any such Act or Law, it shall be lawful for the Secretary of State to direct by and to whom, and in what manner, anything to be done under such Act or Law is to be done, and such Act or Law shall in its application to matters arising within the limits of this Order, be construed accordingly.

168. Not later than the 31st March in each year, the Judge shall send to the Secretary of State a report on the operation of this Order up to the 31st January in that year, showing for the then last twelve months the number and nature of the proceedings, criminal and civil, taken in the Court under this Order, and the result thereof, and the number and amount of fees received, and containing an abstract of the registration list, and such other information, and being in such form, as the Secretary of State from time to time directs.

169. (1) A printed copy of this Order shall be always kept exhibited in a conspicuous place in each Consular office and in each Courthouse.

(2) Printed copies shall be sold at such reasonable price as the Supreme Court directs.

(3) Judicial notice shall be taken of this Order, and of the commencement thereof, and of the appointment of Consuls, and of the constitution and limits of the Courts and districts, and of Consular seals and signatures, and of any Rules made or in force under this Order, and no proof shall be required of any of such matters.

The provisions of "The Evidence Act, 1851" (14 & 15 Vict., cap. 99), secs. 7 and 11, relating to the proof of judicial and other documents, shall extend and be applied for all purposes as if the Courts, districts, and places to which this Order applies were in a British Colony.

170. (1) The Orders in Council mentioned in the Schedule to this Order are hereby repealed, but this repeal shall not—

(*i*) Affect the past operation of those Orders, or either of them, or any appointment made, or any right, title, obligation, and liability accrued, or the validity or invalidity of anything done or suffered under any of those Orders, before the making of this order;

(*ii*) Interfere with the institution or prosecution of any proceeding or action, criminal or civil, in respect of any offence committed against, or forfeiture incurred or liability accrued under or in consequence of any provision of, any of those Orders, or any Regulation made thereunder;

(*iii*) Take away or abridge any protection or benefit given or to be enjoyed in relation thereto.

(2) Notwithstanding the repeal of the Orders aforesaid, or any other thing in this Order, every Regulation, appointment and other thing in this Article mentioned shall continue and be as if this Order had not been made; but so that the same may be revoked, altered, or otherwise dealt with under this Order, as if it had been made or done under this Order.

(3) Criminal or civil proceedings begun under any of the Orders in Council repealed by this Order, and pending at the time when this Order comes into operation, shall, from and after that time, be regulated by the provisions of this Order, as far as the nature and circumstances of each case admits.

(4) Lists of jurors and assessors in force at the passing of this Order shall continue in force until revised and settled under the provisions of this Order.

171. (1) This Order shall take effect at the expiration of one month after it is first exhibited in the public office of the Supreme Court at Constantinople.

(2) For that purpose the Judge of the Supreme Court shall forthwith, on the receipt by him from the Ambassador of a certified printed copy of this Order, cause the same to be affixed and exhibited conspicuously in that office.

(3) He shall also keep the same so affixed and exhibited during one month from that first exhibition.

(4) Notice of the time of that first exhibition shall, as soon as practicable, be published in the office of the Agency for Egypt and at each of the Provincial Consulates in such manner as the Supreme Court may direct.

(5) A certified printed copy of this Order shall also be affixed and exhibited in the public offices of the Consular Courts at Alexandria and Cairo, at the same time (or as near as circumstances admit) at which it is first exhibited at Constantinople. Proof shall not in any proceeding or matter be required that the provisions of this Article have been complied with, nor shall any act or proceeding be invalidated by any failure to comply with any of such provisions.

(6) The day on which this Order so takes effect is in this Order referred to as the commencement of this Order.

(7) Where this Order confers power to make any appointment, Order, Rules, or Regulations, or to do any other thing for the purposes of the Order, that power may be exercised at any time after the passing of this Order, so, however, that any such appointment, Order, Rules, or Regulations shall not take effect before the commencement of this Order.

172. This order may be cited as "The Ottoman Order in Council, 1899."

A. W. FITZ ROY.

SCHEDULE.

Orders repealed.

Order made by Her Majesty in Council on the 22nd April, 1872, fixing the fee to be levied on application for a Firman for British ships passing the Straits.

"The Ottoman Order in Council, 1873."

Order made by Her Majesty in Council on the 7th July, 1874, amending Article 14 of "The Ottoman Order in Council, 1873."

Order made by Her Majesty in Council on the 5th February, 1876, suspending the operation of the Ottoman Order in Council as regards matters coming within the jurisdiction of certain Egyptian Courts.

"The Ottoman Order in Council, 1882."

"The Ottoman Order in Council, 1890."

Order made by Her Majesty in Council on the 23rd February 1891, fixing a Table of Fees to be taken in Her Majesty's Consular Courts in the Ottoman dominions.

"The Ottoman Tribunals Order in Council, 1891."

"The Ottoman Dominions (Prisoners Removal) Order in Council, 1895."

"The Ottoman Dominions (Courts) Order in Council, 1895."

"The Ottomam Dominions (Supreme Court) Order in Council, 1896."

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SCHEDULE.

H. S. BARNES,

Officiating Secretary to the Government of India.

ADEN.

APPENDIX NO. III.—*Page 58.*

Sultan Mohsin bin Ali Mani the Haushabi agrees to levy taxes on merchandize exported from Aden at the following rates.

Description of merchandize.	Per camel load.		Per donkey load.	
	Dollars.	Rs. a. p.	Dollars.	Rs. a. p.
Corn, barley or pulse	1/8	or 0 4 0	...	0 2 0
Tobacco piece goods. "Matara" lead or twist.	1/4	...	1/4	...
Iron or dates	5/16	...	1 1/16	...
Kerosine oil	5/16	...	1 1/16	...
Flour or rice	5/16	...	1/8	...
Camel for sale	1	...	...	...
Horse for sale	3	...	...	...
Mule for sale	1 1/2	...	...	...
Donkey for sale	1 1/4	...	...	...
Cows or bullocks for sale	1/4	...	...	...
Goats, Barbari sheep or Baladi sheep for sale.	...	0 1 3 per head.	...	...

Rates of taxes to be levied on merchandize imported to Aden.

Coffee, cleaned, coffee with husks, skins, varas, or madder roots.	3/4	...	1/4	...
Ghee	1/4	...	3/8	...
Camel load of kat	10 Kulwats of Mawiya or 16 Ruptas of Harwai or if the tax be demanded in money 2 dollars on Mawiya or 1½ dollars on Harwi.			
Donkey load of kat	3 Kulwats of Mawiya or 6 Ruptas of Harwi or if the tax be demanded in money ¾ dollar on Mawiya or ½ dollar on Harwi.			
Garlic, onion, hulba (maitee seed), jaban (coffee pot), hanna or fruits.	1 5/16	...	1/8	...
Wheat	1/4	...	1/8	or 0 4 0
Corn, barley or pulse	1/8	or 0 4 0	1/16	or 0 2 0
Camel for sale	1	...	...	...
Horse for sale	3	...	...	...
Donkey for sale	1 1/4	...	...	...
Mule for sale	1 1/2	...	...	...
Cows or bullocks for sale	1/4	...	...	...
Goats, Barbari sheep or Baladi sheep for sale.	...	0 1 3 per head.	...	...

The Haushabi Sultan also states that the undermentioned persons levy extra dues for themselves on all camels carrying articles of merchandize either imported or exported on the road of Dathali and which should be paid to them :—

Ahl Yehya (who levies at Ar-Raha) three annas on each camel loaded with merchandize whether imported or exported on the said road.

Ahl Abdul Malik (————————) one anna on each camel loaded with merchandize whether imported or exported on the said road.

Salim Awadth and his relations Al-Ubran one anna and six pies.

(Signed) SULTAN MOHSIN BIN ALI MANI AL HAUSHABI.

Signed before me—

(Signed) A. G. F. HOGG,
Political Resident, Aden.

Written at Al-Mijba on the 15th November 1888, corresponding with 11R. Awal 1306.

Sheikh Said Saleh the Alawi agrees to levy taxes on the merchandize exported from Aden at the following rates.

Description of merchandize.	Per camel load.		Per donkey load.	
	Dollars.	Rs. a. p.	Dollars.	Rs. a. p.
Corn, barley or pulse	...	0 3 0	...	0 1 6
Tobacco, piece goods, spices, lead or twist.	$\frac{8}{8}$	or 0 12 0	$\frac{1}{8}$	or 0 4 0
Iron or dates	...	0 5 0	...	0 3 0
Kerosine oil	...	0 8 0	...	0 3 0
Flour or rice	...	0 6 0	...	0 2 0
Camel for sale	...	...	...	...
Horse for sale	$\frac{1}{2}$ per head.	...	...	...
Mule for sale	$\frac{1}{4}$ per head.	...	...	...
Donkey for sale	$\frac{1}{8}$ per head.	...	...	...
Cow or bullocks for sale	$\frac{1}{4}$ per head.	...	...	...
Goats, Barbari sheep or Baladi sheep.	...	0 0 9 per head.	...	...

Rates of taxes to be levied on merchandize imported into Aden.

Description of merchandize.	Per camel load.		Per donkey load.	
	Dollars.	Rs. a. p.	Dollars.	Rs. a. p.
Cleaned coffee, coffee with husk, skins, ghee, varas or madder roots.	$\frac{5}{8}$	or 0 12 0	$\frac{1}{8}$	or 0 4 0
Camel load of kat	5 Kulwats of Mawiya and 8 Ruptas of Harwi or if the tax be demanded in money one dollar on Mawiya and $\frac{3}{4}$ dollar on Harwi.			
Donkey load kat	2 Kulwats of Mawiya and 3 Ruptas of Harwi and if the tax be demanded in money $\frac{5}{8}$ dollar on Mawiya and $\frac{1}{4}$ dollar on Harwi.			
Garlic, onion, hulba (maitee seed) jaban (coffee pots), hanna or fruits.	$\frac{1}{8}$	...	$\frac{1}{16}$	...
Wheat	$\frac{3}{16}$	or 0 6 0	...	0 2 0
Corn, barley, or pulse . . .	...	0 3 0	...	0 1 6
Camel for sale	$\frac{1}{4}$ per head.	...	...	...
Horse for sale	$\frac{1}{2}$ per head.	...	...	...
Donkey for sale	$\frac{1}{8}$ per head.	...	...	...
Cow or bullock for sale . . .	$\frac{1}{4}$ per head.	...	...	...
Goat, Barbari sheep or Baladi sheep .	...	0 0 9 per head.	...	...

(Sealed) SHEIKH SAID BIN SALEH AL ALAWAI
in presence of

(Signed) MOHSIN SALIM AL-DAGHIRRI.

Sealed and Signed before me—

(Signed) A. G. F. HOGG,
Political Resident, Aden.

Written at Al-Mijba on the 15th November 1888, corresponding with 11th Rabi Awal 1306.

Amir Shaif Saif of Dthali agrees to levy taxes on merchandize exported from Aden at the following rates.

Description of merchandize.	Per camel load.		Per donkey load.	
	Dollars.	Rs. a. p.	Dollars.	Rs. a. p.
Corn, barley or pulse	...	0 3 0	...	0 1 6
Tobacco, piece good, spices and lead or twist.	$\frac{1}{2}$	...	$\frac{1}{2}$	...
Iron or dates	$\frac{3}{16}$	...	...	0 3 0
Kerosine oil	$\frac{5}{16}$	or 0 10 0	$\frac{1}{8}$	...
Flour or rice	$\frac{1}{4}$	or 0 8 0	$\frac{1}{16}$	or 0 2 0
Camel for sale	$\frac{1}{2}$	...	...	...
Horse for sale	1	...	...	...
Mule for sale	$\frac{1}{2}$	...	...	...
Donkey for sale	$\frac{1}{4}$	...	...	...
Cows or bullocks for sale	$\frac{3}{16}$	...	...	...
Goats, Barbari sheep or Baladi sheep	...	0 0 9 per head.	...	...

Rates of taxes to be levied on merchandize imported to Aden.

Cleaned coffee, coffee with husks, skins, ghee, varas.	$\frac{1}{2}$	...	...	...
Or madder roots	$\frac{1}{2}$	...	$\frac{1}{8}$	...
Camel load of kat	6 Kulwats of Mawiya or 10 Ruptas of Harwi or if the tax be demanded in money $1\frac{1}{2}$ dollars on Mawiya and 1 dollar on Harwi.			
Donkey load kat	3 Kulwats of Mawiya or 3 Ruptas of Harwi or if the tax be demanded in money $\frac{3}{4}$ dollar on Mawiya and $\frac{3}{8}$ dollar on Harwi.			
Garlic, onions, hulba (maitee seed) jaban (coffee pots), hamna or fruits.	$\frac{3}{16}$	...	...	0 2 0
Wheat	...	0 6 0	...	0 2 0
Corn, barley or pulse	...	0 3 0	...	0 1 6
Camel for sale	1	...	...	...
Horse for sale	1	...	...	...
Donkey for sale	$\frac{1}{8}$	...	...	...
Cow or bullock for sale	$\frac{3}{16}$	...	...	...
Baladi sheep for sale	...	0 0 9 per head.	...	...
Mule for sale	$\frac{1}{2}$ per head.	...	...	...

(Signed) AMIR SHAIF OF DTHALI in presence of
(Signed) MOTHANNA AMAR AL-BAISHEE.

Signed before me—

(Signed) A. F. G. HOGG,
Political Resident, Aden.

Written at Al-Mijba on the 15th November 1888, corresponding with Rabi Awal 1306.

Shaikh Mothanna Amar bin Abdalla al-Baisee agrees to levy taxes on merchandize exported from Aden at the following rates.

Description of merchandize.	Per camel load.		Per donkey load.	
	Dollars.	Rs. a. p.	Dollars.	Rs. a. p.
Corn, barley or pulse	...	0 1 6	...	0 0 9
Tobacco, piece goods, lead or twist	...	0 6 0	...	0 2 0
Iron or dates	...	0 3 0	...	0 1 6
Kerosine oil	...	0 4 0	...	0 2 0
Flour or rice	...	0 3 0	...	1 0 6
Camel for sale	$\frac{1}{8}$ per head.	...	...	...
Horse for sale	$\frac{1}{4}$ per head.	...	...	...
Mule for sale	$\frac{1}{8}$ per head.	...	...	...
Donkey for sale	$\frac{1}{16}$ per head.	...	...	...
Cows or bullocks for sale	$\frac{1}{8}$ per head.	...	...	...
Goats, Barbari sheep or Baladi sheep	...	0 0 6 per head.	...	...

Rates of taxes to be levied on merchandize imported to Aden.

Cleaned coffee, coffee with husks, skins, ghee, varas or madder roots.	...	0 6 0	...	0 2 6
Camel load of kat	$2\frac{1}{2}$ Kulwats of Mawiya or 4 Ruptas of Harwi or if the tax be demanded in money $\frac{1}{2}$ dollar on Mawiya or $\frac{3}{8}$ dollar on Harwi.			
Donkey load kat	1 Kulwat of Mawiya or 2 Ruptas of Harwi or if the tax be demanded in money $\frac{3}{16}$ on Mawiya and $\frac{1}{8}$ dollar on Harwi.			
Garlic, onions, hulba (maitee seed), jaban, hanna or fruits.	$\frac{1}{16}$	...	...	0 1 3
Wheat	...	0 3 0	...	0 1 6
Corn, barley or pulse	$\frac{1}{16}$	...	...	0 1 0
Camel for sale	$\frac{1}{8}$ per head.	...	...	...
Horse for sale	$\frac{1}{4}$ per head.	...	...	...
Donkey for sale	$\frac{1}{16}$ per head.	...	...	...
Cows or bullocks for sale	$\frac{1}{8}$ per head.	...	...	...
Goats, Barbari sheep or Baladi sheep for sale.	...	0 0 6 per head.	...	...
Mule for sale	$\frac{1}{8}$ per head.	...	...	...

Mark OF MOTHANNA AMAR AL-BAISEE in presence of Amir of Dthala.

Signed before me—
(Signed) A. G. F. HOGG,
Political Resident, Aden.

Written on the 15th November 1888, corresponding with 11th Rabi Awal 1306 at Al-Mizba.

SHEHR AND MOKALLA.

APPENDIX No. IV—*Page 67.*

AGREEMENT MADE BETWEEN THE NAKIB OF MOKALLA AND THE KAITIS.

Praise be to God!

On Wednesday, the 3rd of Rajab 1290, the Honourable Abdulla and Salih and Awadth, sons of Omar-bin-Awadh-al Kaiti, purchased and became the owners of half of the Bandar Mokalla, with all its fortifications, and half of the Bandar Buram from Nakib Omar and Nakib Muhammad, sons of the late Nakib Salah, for the sum of $2,40,000. Out of this was deducted $1,60,000, which was due by their father (the late Nakib) to the Kaiti, the remaining $80,000 was paid to them. The total value amounts to $2,40,000, half of which is $1,20,000. The above-mentioned Nakib-Omar and Nakib Muhammad, sons of the late Nakib Salah, have already sold half of the Bandar of Mokalla and half of Buram as has been said above with all their rights, internal and external. This sale is quite fixed upon those whose names have been mentioned above, *viz.*, Abdalla and Salih and Awadth-bin-Omar. This sale has paid off all the debts that were upon the late Nakim Salah-bin-Muhammad. There is nothing now remaining of this debt. If any claim is advanced, it will be *null and void.* They have settled that Nakib Omar is to be Governor of Mokalla and to do justice according to the Muhammadan law, and to order for good and prevent evil, and not to oppress the subjects and others. If any quarrel should arise among the seafaring men, they are to be sent to those of their own class. In all cases relating to law, justice to be done according to the Muhammadan law. All mercantile cases to be sent to the merchants for trial. Khairulla, the slave of the late Nakib Salah, is to do all work relating to the Bazar. Nakib Omar is to govern according to justice in all small cases, and in cases of importance he should consult with any one of the sons of Omar-bin-Awadth. If all of them are absent, then to consult with their Agents. Nakib Omar cannot settle anything without their consultation, nor can he write any correspondence with the High Ottoman Governments or its officers, neither to the English Government or its officers, also not with any other power, without consulting the Kaiti people or their Agents. He also cannot have interviews with any of the above-mentioned Governments without their or their Agent's presence. Their opinion and their voice should be one. Nakib Omar cannot do anything without their consultation. If he were to do violence to any person, the Kaiti or their Agents should give him advice. If he does not hear their advice, they can prevent his acting without right. The Kaiti can put their garrison in half of the Mokalla forts, and can also put their soldiers in the house called Najdi, situated near the northern fort and the eastern fort, and

also in forts situated out of Mokalla, *viz.*, Bakarain and Thamaj. and Nakib Omar can keep his garrison in forts Nakan and Dis, and all the other remaining forts are to be divided equally. The Kaiti can put their garrison in Bandar Buram on account of their half-right. Nakib Omar should give them house. The Kaiti can build houses for themselves and put clerks in the Custom House and the gate to keep accounts of exports and imports. All the revenue arising from the tax or other things is to be divided equally. The Kaiti can reside in the house of Nakib Abdulla for one year until he may build one for himself. These agreements for the sale have been made with each other's consent without force and compulsion. The Nakib Omar and Nakib Muhammad have got possession of the amount of the value, and have given permission to those men whose names have been mentioned below to be witnesses of this:—

Names of Witnesses.

Omar bin-Salim Kousiar.
Sulaiman-bin-Awadth-bin Sharaf.
Salim-bin-Abdulla-Salih-al-Kasadi.
Omar Salim-al-Kasadi.
Muhammad-bin-Abdul-Malik.
Abdulla Syad-al-Kasadi.
Salih-bin-Ahmad.
Abdul Habib-bin-Salih.
Bubakir-bin-Husain Harhara.
Ali-bin-Ardan.
Ahmad-bin-Salih-al-Masawa.
Ahmad-bin-Salah.
Mohsin-bin-Salih.
Abdul Kadar-bin-Ali.
Amar-bin-Abdul Muttalib.
Obdulla-bin-Ahmad Bai Ers.
Abdulla.
Salih-bin-Jabar.
Salim bin-Abdulla-Jahwari.
Abdul-Kawi-din-Salim.
Abdul-Habib-bin-Abdul-al-Kay'ti.
Bubakir-bin-Abdulla.
Abdulla-din-Sahar.
Agent of Hajibhai Lalji.
Dalubhai Dusani.
Haj Kasim Sumar.

Abdul Habib-bin-Muhammad-al-Kasadi.

(Sd.) NAKIB-OMAR-BIN-SALAH.

„ NAKIB MUHAMMAD-BIN-SALAH.

Praise be to God!

On Wednesday, the 3rd of Rajab 1290, the Honourable Abdulla Salih and Awadth, sons of Omar bin Awadth-al-Kaiti, and Nakib Omar and Nakib Muhammad, sons of the late Nakib Salah, have joined together to assist one another and to obey the Muhammandan law. They swear before God that each will behave honestly towards the other and will order for good and prevent evil. They should have one and the same friends and one and the same enemies. Mokalla is between the Kasadi and Kaiti, Shihr and Mokalla are one, and Hadthramut and the sea-coast are one. He who is an enemy to the Kaiti is an enemy of the Kasadi, and he who is an enemy of the Kasadis is an enemy of the Kaiti; the one is not to give refuge to the enemy of the other; but it the Kaiti see that it is good to settle with an enemy he can do so. If the Kaiti have a claim against any one, he is to get it if the things claimed are not burnt or destroyed. Kaiti are to be as fathers and Kasadis to be as sons and attendants. The Kasadis are to obey the directions of the Kaiti. Both parties are one, and each

should do good to the other and prevent evil. Nakib Omar is not to keep friendship with the Kathiris and the Aulakis but through the Kaiti. The agreement that had been made between the late Nakib Salah and Awadth-bin-Omar the Kaiti is approved by Nakib Omar, except about the money mentioned in the agreement which has been paid off by the sale of the half of Mokalla, which also is mentioned in the agreement. Both parties agreed without force and compulsion to this before God.

(Sd.) NAKIB-OMAR-BIN-SALAH.

" NAKIB-MUHAMMAD-BIN-SALAH.

Witnesses.

Nakib Abdul Habib-ul-Kasadi and others.

We, the undersigned, agree to this, and we would go against those who would act contrary to the above agreement; but he who would call us shall be liable to the expenses according to custom.

Signed by about thirty Shaikhs of the Upper Yafii.

ZANZIBAR.

APPENDIX No. V.—*Page 231.*

TREATY of AMITY and COMMERCE between the UNITED STATES of AMERICA and HIS MAJESTY SYUD SUEED BIN SULTAN, of MASKAT, and his DEPENDENCIES.

ARTICLE 1.

There shall be a perpetual peace between the United States of America and His Majesty Syud Sueed Bin Sultan, of Maskat, and his Dependencies

ARTICLE 2.

The citizens of the United States shall have free liberty to enter all the ports of his Majesty Syud Sueed Bin Sultan, with their cargoes, of whatever kind the said cargoes may consist, and they shall have liberty to sell the same to any of the subjects of the Sultan, or others who may wish to purchase the same, or to barter the same for any produce or manufactures of the kingdom or other articles that may be found there. No price shall be fixed by the Sultan or his officers on the articles to be sold by the merchants of the United States, or the merchandise they may wish to buy; but the trade shall be free on both sides to sell or buy, or exchange, on the terms and for the prices the owners may think fit; and whenever the said citizens of the United States may think fit to depart, they shall be at liberty to do so; and if any officer of the Sultan shall contravene this Article he shall be severely punished. It is understood and agreed, however, that the articles of muskets, powder, and ball can only be sold to the Government in the Island of Zanzibar, but in all other ports of the Sultan the said munitions of war may be freely sold without any restriction whatever to the highest bidder.

ARTICLE 3.

Vessels of the United States entering any port within the Sultan's dominions shall pay no more than five per cent. duties on the cargo landed, and this shall be in full consideration of all import and export duties, tonnage, license to trade, pilotage, anchorage, or any other charge whatever. Nor shall any charge be paid on that part of the cargo which shall remain on board unsold and re-exported. Nor shall any charge whatever be paid on any vessel of the United States which may enter any of the ports of His Majesty for the purpose of refitting, or for refreshments, or to inquire the state of the market.

ARTICLE 4.

That American citizens shall pay no other duties on export or import, tonnage, license to trade, or other charge whatsoever, than the nation the most favoured shall pay.

ARTICLE 5.

If any vessel of the United States shall suffer shipwreck on any part of the Sultan's dominions, the persons escaping from the wreck shall be taken care of and hospitably entertained at the expense of the Sultan, until they shall find an opportunity to be returned to their country, for the Sultan can never receive any remuneration whatever for rendering succour to the distressed, and the property saved from such wreck shall be carefully preserved and delivered to the owner, or the Consul of the United States, or to any authorised agent.

ARTICLE 6.

The citizens of the United States resorting to the ports of the Sultan for the purpose of trade shall have leave to land and reside in the said ports without paying any tax on importation whatever for such liberty other than the general duties on imports which the most favoured nation shall pay.

ARTICLE 7.

If any citizens of the United States, or their vessels or other property, shall be taken by pirates, and brought within the dominions of the Sultan, the persons shall be set at liberty and the property restored to the owner, if he be present, or to the American Consul, or to any authorised agent.

ARTICLE 8.

Vessels belonging to the subjects of the Sultan which may resort to any port in the United States shall pay no other or higher rate of duties, or other charges, that the nation the most favoured shall pay.

ARTICLE 9.

The President of the United States may appoint Consuls to reside in the ports of the Sultan where the principal commerce shall be carried on, which Consuls shall be the exclusive judges of all disputes on suits wherein American citizens shall be engaged with each other; they shall have power to receive the property of any American citizen dying within the kingdom, and to send the same to his heirs, first paying all his debts due to the subjects of the Sultan. The said Consuls shall not be arrested, nor shall their property be seized, nor shall any of their household be arrested, but their persons and their property and their houses shall be inviolate. Should any Consul, however, commit any offence against the laws of the kingdom, complaint shall be made to the President, who will immediately displace him.

Concluded, signed, and sealed at the Royal Palace in the City of Maskat, in the Kingdom of Oman, the 21st day of September, in the year one thousand eight hundred and thirty-three of the Christian era, and the fifty-seventh year of the Independence of the United States of America (corre-

sponding to the sixth day of the Moon, called Jumadee-ul-Awul, in the year of the Hijree, one thousand two hundred and forty nine.)

(Sd.) EDMUND ROBERTS.

Whereas the undersigned, Edmund Roberts, a citizen of the United States of America and a resident of Portsmouth in the State of New Hampshire, being duly appointed a Special Agent by Letters Patent under the signature of the President, and seal of the United States of America, bearing date at the City of Washington, the twenty-sixth day of January, Anno Domini one thousand eight hundred and thirty-two, for negotiating and concluding a Treaty of Amity and Commerce between the United States of America and His Majesty Syud Sueed Bin, Sultan of Maskat: now know ye that I, Edmund Roberts, Special Agent as aforesaid, do conclude the foregoing Treaty of Amity and Commerce, and every Article and Clause therein contained, reserving the same nevertheless for the final ratification of the President of the United States of America, by and with the advice and consent of the Senate of the United States.

Done at the Royal Palace in the City of Maskat, in the Kingdom of Oman, on the 21st day of September, in the year of our Lord 1833, and of the Independence of the United States of America the fifty-seventh, corresponding to the 6th day of the Moon, called Jumadee-ul-Awul, in the year Allijra (Hijree) 1249.

(Sd.) EDMUND ROBERTS.

APPENDIX NO. VI—Page *231*.

CONVENTION OF COMMERCE AND NAVIGATION *between Great Britain and Muscat,—Signed at Zanzibar, May 31, 1839.*

(Signed in the English and Arabic Languages.)

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Highness the Sultan of Muscat and its dependencies, being desirous to confirm and strengthen the good understanding which now subsists between them, and to promote, by means of a Convention, the commercial intercourse between their respective subjects; and His Highness the Sultan of Muscat being, moreover, desirous to record in a more formal manner, the engagements entered into by His Highness on the 10th of September, 1822, for the perpetual abolition of the Slave Trade between the dominions of His Highness and all Christain nations; they have, accordingly, appointed as their Plenipotentiaries, that is to say:—Robert Cogan, Esq., a Captain in the naval service of the East India Company, on behalf of Her Majesty the Queen of the United Kingdom

of Great Britain and Ireland, etc., and Hassan bin Ebrihim, and Mahabat Alli Bin Naser, on behalf of His Highness the Sultan of Muscat, etc., who having communicated their Full Powers, found to be in due and proper form, have agreed upon and concluded the following Articles:

ARTICLE 1.

The subjects of His Highness the Sultan of Muscat shall be at liberty to enter, reside in, trade with, and pass with, their merchandize through all parts of Her Britannic Majesty's dominions in Europe and Asia, and shall enjoy in those dominions all the privileges and advantages with respect to commerce or otherwise, which are or may be accorded therein to the subjects or citizens of the most favoured nations; and the subjects of Her Britannic Majesty shall, in like manner, have full liberty to enter, reside in, trade with, and pass with their merchandize through all parts of the dominions of His Highness the Sultan of Muscat, and shall in those dominions enjoy all the privileges and advantages, with respect to commerce or otherwise, which are or may be accorded therein to the subjects or citizens of the most favoured nations.

ARTICLE 2.

British subjects shall be at liberty to purchase, sell, or hire land or houses in the dominions of His Highness the Sultan of Muscat.

The houses, warehouses, or other premises of British subjects, or of persons actually in the service of British subjects, in the dominions of His Highness the Sultan of Muscat, shall not be forcibly entered, nor on any pretext searched, without the consent of the occupier, unless with cognizance of the British Consul or Resident Agent. But such Consul or Resident Agent, on just cause being adduced by the authorities of His Highness the Sultan of Muscat, shall send a competent person, who in concert with the officers of His Highness the Sultan of Muscat, shall conduct the search, and shall prevent the use of unnecessary violence or of improper resistance.

ARTICLE 3.

The two High Contracting Parties acknowledge reciprocally to each other the right of appointing Consuls to reside in each other's dominions wherever the interests of commerce may require the presence of such officers. And such Consuls shall at all times be placed, in the country in which they reside, on the footing of the Consuls of the most favoured nations. Each of the High Contracting Parties further agrees to permit his own subjects to be appointed to Consular offices by the other Contracting Party; provided always, that the persons so appointed shall not begin to act without the previous approbation of the Sovereign whose subjects they may be.

The public functionaries of either Government residing in the dominions of the other, shall enjoy the same privileges, immunities, and exemptions which are enjoyed, within the same dominions, by similar public functionaries of other countries.

ARTICLE 4.

Subjects of the dominions of His Highness the Sultan of Muscat, actually in the service of British subjects in those dominions, shall enjoy the same protection which is granted to British subjects themselves; but if such subjects of the dominions of His Highness the Sultan of Muscat shall be convicted of any crime or infraction of the law requiring punishment, they shall be discharged by the British subject in whose service they may be, and shall be delivered over to the authorities of His Highness the Sultan of Muscat.

ARTICLE 5.

The authorities of His Highness the Sultan of Muscat shall not interfere in disputes between British subjects, or between British subjects and the subjects or citizens of other Christian nations. When differences arise between a subject of the dominions of His Highness the Sultan of Muscat and a British subject, if the former is the complainant, the cause shall be heard by the British Consul or Resident Agent, who shall administer justice thereupon. But if the British subject is the complainant against any of the subjects of His Highness the Sultan of Muscat, or the subjects of any other Mahometan Power, then the cause shall be decided by the highest authority of His Highness the Sultan of Muscat, or by any person nominated by him; but in such case, the cause shall not be proceeded in, except in the presence of the British Consul or Resident Agent, or of some person deputed by one or other of them, who shall attend at the court-house where such matter shall be tried. In causes between a British subject and a native of the dominions of His Highness the Sultan of Muscat, whether tried before the British Consul or Resident Agent, or before the above-mentioned authority of His Highness the Sultan of Muscat, the evidence of a man proved to have given false testimony on a former occasion shall not be received.

ARTICLE 6.

The property of a British subject who may die in the dominions of His Highness the Sultan of Muscat, or of a subject of His Highness the Sultan of Muscat who may die in the British dominions, shall be delivered over to the heirs, or executors, or administrators of the deceased, or to the respective Consuls or Resident Agents of the Contracting Parties, in default of such heirs, or executors, or administrators.

ARTICLE 7.

If a British subject shall become bankrupt in the dominions of His Highness the Sultan of Muscat, the British Consul or Resident Agent shall

take possession of all the property of such bankrupt, and shall give it up to his creditors, to be divided among them. This having been done, the bankrupt shall be entitled to a full discharge from his creditors, and he shall not at any time afterwards be required to make up his deficiency, nor shall any property he may afterwards acquire be considered liable for that purpose. But the British Consul or Resident Agent shall use his endeavours to obtain for the benefit of the creditors, any property of the bankrupt in another country, and to ascertain that everything possessed by the bankrupt, at the time when he became insolvent, has been given up without reserve.

ARTICLE 8.

If a subject of His Highness the Sultan of Muscat should resist or evade payment of his just debts to a British subject, the authorities of His Highness shall afford to the British subject every aid and facility in recovering the amount due; and, in like manner, the British Consul or Resident Agent shall afford every aid and facility to subjects of His Highness the Sultan of Muscat, in recovering debts justly due to them from a British subject.

ARTICLE 9.

No duty exceeding 5 per cent. shall be levied at the place of entry in the dominions of His Highness the Sultan of Muscat, on any goods, the growth, produce, or manufacture of the dominions of Her Britannic Majesty, imported by British vessels, and this duty shall be deemed to be a full payment of all import, and export and tonnage duties, of license to trade, of pilotage and anchorage, and of any other charge by Government whatever, upon the vessels or upon the goods so imported or exported. Nor shall any charge be made on that part of the cargo which may remain on board unsold; and no additional or higher duty shall be levied upon these goods when afterwards transported from one place to another in the dominions of His Highness, but the above-mentioned duty having once been paid, the goods may be sold by wholesale or retail, without any further duty. No charge whatever shall be made on British vessels which may enter any of the ports of His Highness for the purpose of refitting or for refreshments, or to enquire about the state of the market.

ARTICLE 10.

No article whatever shall be prohibited from being imported into, or exported from, the territories of His Highness the Sultan of Muscat; but the trade between the dominions of Her Britannic Majesty and those of His Highness the Sultan of Muscat shall be perfectly free, subject to the above-mentioned duty upon goods imported, and to no other. And His Highness the Sultan of Muscat hereby engages not to permit the establishment of any monopoly or exclusive privilege of sale within his dominions, except in the articles of ivory and gum copal, on that part of the east coast of Africa from the Port of Tangate situated in about 5½ degrees of

south latitude to the port of Quila, lying in about 7 degrees south of the equator, both ports inclusive; but in all other ports and places in His Highness's dominions there shall be no monopoly whatever; but the subjects of Her Britannic Majesty shall be at liberty to buy and sell with perfect freedom, from whomsoever and to whomseever they choose, subject to no other duty by Government than that before mentioned.

ARTICLE 11.

If any disputes should arise in the dominions of His Highness the Sultan of Musc t as to the value of goods which shall be imported by British merchants, and on which the duty of 5 per cent. is to be levied, the custom-master or other authorised officer, acting on the part of the Government of His Highness the Sultan of Muscat, shall be entitled to demand one-twentieth part of the goods in lieu of the payment of 5 per cent. and the merchant shall be bound to surrender the twentieth part so demanded, whenever, from the nature of the articles, it may be practicable to do so; but the merchant having done so, shall be subject to no further demand on account of customs on the other nineteen-twentieths of those goods, in any part of the dominions of His Highness the Sultan of Muscat to which he may transport them. But if the custom-master should object to levy the duty in the manner aforesaid, by taking one-twentieth part of the goods, or if the goods should not admit of being so divided, then the point in dispute shall be referred to 2 competent persons, one chosen by the custom-master and the other by the importer; and a valuation of the goods shall be made; and if the referees shall differ in opinion, they shall appoint an arbitrator whose decision shall be final; and the duty shall be levied according to the value thus established.

ARTICLE 12.

It shall not be lawful for any British merchant to expose his goods for sale for the space of 3 days after the arrival of such goods, unless before the expiration of such 3 days the importer and custom-master shall have agreed as to the value of such goods. If the custom-master shall not, within 3 days, have accepted one of the two modes proposed for ascertaining the value of the goods, the authorities of His Highness the Sultan of Muscat, on application being made to them to that effect, shall compel the custom-master to choose one of the two modes by which the amount of the customs to be levied is to be determined.

ARTICLE 13.

If it shall happen that either the Queen of England or His Highness the Sultan of Muscat should be at war with another country, the subjects of Her Britannic Majesty, and the subjects of His Highness the Sultan of Muscat, shall nevertheless be allowed to pass to such country, through the dominions of either Power, with merchandize of every description, except

warlike stores; but they shall not be allowed to enter any port or place actually blockaded or besieged.

ARTICLE 14.

Should a vessel under the British flag enter a port in the dominions of His Highness the Sultan of Muscat in distress, the local authorities at such port shall afford all necessary aid to enable the vessel to refit and to prosecute her voyage; and if any such vessel shall be wrecked on the coasts of the dominions of His Highness the Sultan of Muscat, the authorities of His Highness shall give all the assistance in their power to recover and to deliver over to the owners all the property that can be saved from such vessel. The same assistance and protection shall be afforded to vessels of the dominions of His Highness the Sultan of Muscat, and property saved therefrom under similar circumstances, in the ports and on the coasts of the British dominions.

ARTICLE 15.

His Highness the Sultan of Muscat hereby renews and confirms the engagements entered into by His Highness with Great Britain, on the 10th of September, 1822, for the entire suppression of Slave Trade between his dominions and all Christian countries; and His Highness further engages that the ships and vessels of war belonging to the East India Company shall be allowed to give full force and effect to the stipulations of the said Treaty, agreeably with the conditions prescribed therein, and in the same manner as the ships and vessels of Her Britannic Majesty.

ARTICLE 16.

It is further acknowledged and declared by the High Contracting Parties that nothing in this convention is intended in any way to interfere with, or rescind any of, the rights or privileges now enjoyed by the subjects of His Highness the Sultan of Muscat, in respect to commerce and navigation, within the limits of the East India Company's charter.

ARTICLE 17.

The present Convention shall be ratified and the ratifications thereof shall be exchanged at Muscat or Zanzibar, as soon as possible, and in any case within the space of 15 months from the date hereof.

Done on the island, and at the town of Zanzibar, this 31st day of May, in the year of Christ 1839, corresponding with the 17th of the month Rebeal Owal, of the ul Hujra, 1255.

HASSAN BIN EBRIHIM
ALLI BIN NASER.

(L. S.) ROBERT COGAN.

DECLARATION made on the part of Her Britannic Majesty, on the exchange of the Ratifications of the preceding Convention.

The Undersigned, Samuel Hennell, Esq., a Captain in the military service of the East India Company, and Resident in the Persian Gulf, appointed on behalf of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland to exchange Her Majesty's Ratification of the Treaty of Commerce concluded at Zanzibar, on the 31st of May, 1839, by Robert Cogan, Esq., a Captain in the Naval Service of the East India Company, on the part of Her said Majesty, and by Hassan bin Ebrihim and Mahabat Alli bin Naser, on the part of His Highness the Sultan of Muscat, against the Ratification of the same Treaty by His Highness the Sultan of Muscat, is commanded by the Queen, in order to avoid any possible misunderstanding as to the meaning of the words contained in the 9th Article of the said Treaty, "any other charge by Government whatever," to declare to Syed Mahommed Ibin Syed Shurruf, appointed by His Highness the Sultan of Muscat to exchange His Highness's Ratification, that the aforesaid words are by Her Majesty taken and understood to mean, "any other charge whatever made by the Government, or by any local authority of the Government."

(L. S.) S. HENNELL.

Muscat, this 22nd day of July, 1840.

COUNTER-DECLARATION made on the part of His Highness the Imaum of Muscat.

Translation.

The Undersigned, Syed Mahommed Ibin Syed Shurruf, appointed by His Highness the Sultan of Muscat to exchange His Highness's Ratification of the Treaty of Commerce concluded at Zanzibar, on the 31st May, 1839, by Robert Cogan, Esq., a Captain in the Naval service of the East India Company, on the part of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and by Hassan bin Ibrihim and Mahabat Alli bin Naser on the part of His Highness the Sultan of Muscat against the Ratification of the same Treaty by Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, having received from Samuel Hennell, Esq., a Captain in the military service of the East India Company, and Resident in the Persian Gulf, appointed to act in this matter on behalf of Her said Majesty, a declaration stating that in order to avoid any possible misunderstanding as to the meaning of the words, "any other charge by Government whatever," contained in the 9th Article of the said Treaty, the aforesaid words are by Her Majesty taken and understood to mean "any other charge whatever made by the Government, or by any local authority of the Government," the Undersigned, Syed Mahommed Ibin Syed Shurruf,

being duly authorised by His Highness the Sultan of Muscat, hereby accepts and adopts the said declaration in the name and on the behalf of His Highness the Sultan of Muscat.

Muscat, this 22nd day of July, 1840.

(L. S.) SYED MAHOMMED IBIN SYED SHURRUF.

APPENDIX No. VII.—*Page 231.*

TREATY of COMMERCE concluded between HIS HIGHNESS the Imam of MASKAT and the KING of the FRENCH on the 17th November 1844, and finally ratified on the 4th February 1846.

PREAMBLE.—The King of the French and His Highness Syud Sueed bin Sultan, the Sultan of Maskat and other places, being desirous to confirm and strengthen the good understanding which subsists between them, and to promote the commercial intercourse between their respective countries, and having come to the determination of entering into a Treaty of Commerce and Amity, the former has appointed as his Plenipotentiary Monsieur Romain Desfossés, Captain in the Navy and Chief of Bourbon and Madagascar, and the latter has resolved personally to carry on negotiations with the said Plenipotentiary. The Plenipotentiary of the King of the French having represented to His Highness the Imam and Sultan of Maskat that he was vested with the requisite powers has concluded the following Articles with His Highness Syud Sueed bin Sultan :—

ARTICLE 1.

There shall always be good understanding and friendship between the King of the French, his heirs and successors, and His Highness Syud Sueed bin Sultan, the Sultan of Maskat, his heirs and successors, as also between their respective subjects.

ARTICLE 2.

The subjects of Syud Sueed bin Sultan, the Sultan of Maskat, shall be at liberty to enter, reside in, trade with, and pass with their merchandize through, France ; and the French shall, in like manner, have similar liberty with regard to the territories of Syud Sueed bin Sultan, the Sultan of Maskat. The subjects of both the Governments shall have all the privileges which are or may be conceded by the respective Governments to the subjects of the most favoured nations.

ARTICLE 3.

The French shall be at liberty to purchase, sell, or rent land, houses or warehouses in the dominions of Syud Sueed bin Sultan, the Sultan of

Maskat. The houses, warehouses, or other premises occupied by the French, or by persons in their service, shall not be forcibly entered without the permission of the French Consul. They shall not be prevented from leaving the dominions of Syud Sueed bin Sultan whenever they wish to do so.

ARTICLE 4.

The subjects of Syud Sueed bin Sultan, the Sultan of Maskat, actually in the service of the French, shall enjoy the same privileges which are granted to the French themselves; but if such subjects of His Highness shall be convicted of any crime or infraction of the law, they shall be discharged by the French, and delivered over to the authorities of the place,

ARTICLE 5.

The two high contracting parties acknowledge reciprocally the right of appointing Consuls to reside in each other's dominions, wherever the interests of commerce may require the presence of such officers; and such Consuls shall at all times be placed in the country in which they reside on the footing of the Consuls of the most favoured nations. Each of the high contracting parties further agrees to permit his own subjects to be appointed to Consular offices by the other contracting party, provided always that the persons so appointed shall not begin to act without the previous approbation of the Sovereign whose subjects they may be. The public functionaries of either Government, residing in the dominions of the other, shall enjoy the same privileges, immunities, and exemptions which are enjoyed within the same dominions by similar public functionaries of other countries. The French Consul shall be at liberty to hoist the French flag over his house.

ARTICLE 6.

The authorities of the Sultan of Maskat shall not interfere in disputes between the French, or between the French and the subjects of other Christian nations. When differences arise between a subject of the Sultan of Maskat and a Frenchman, if the former be the complainant, the cause shall be heard by the French Consul; but if a Frenchman be the complainant against any of the subjects of the Sultan at Maskat, or against any Mahomedans, then the cause shall be decided by the authorities of the Sultan of Maskat, or by his deputy; but in such case the cause shall not be decided, except in the presence of the French Consul, or his deputy, who shall attend at the Court. In causes between a Frenchman and a subject of the Sultan of Maskat, the evidence of a man proved to have given false testimony on a former occasion shall not be received. A cause to be decided by the French Consul shall be tried in the presence of the Sultan of Maskat, or a person acting for him.

ARTICLE 7.

The property of a French subject who may die in any part of the dominions of the Sultan of Maskat, or of a subject of the Sultan of Maskat who may die in any part of the French dominions, shall be delivered over to the executor or administrator of the deceased, or, in default of such executor or administrator, to the respective Consuls of the contracting parties.

ARTICLE 8.

If a Frenchman shall become bankrupt in the dominions of the Sultan of Maskat, the French Consul shall take possession of all the property of such bankrupt, and shall give it up to the creditors of the bankrupt to be divided among them. This having been done, the bankrupt shall be entitled to a full discharge from his creditors, and he shall not at any time afterwards be required to make up the deficiency, nor shall any property he may afterwards acquire be considered liable for that purpose. But the French Consul shall use his endeavours to obtain for the benefit of the creditors all the property of the bankrupt. It shall also be incumbent upon the Consul to ascertain that everything possessed by the bankrupt at the time when he became insolvent has been given up.

ARTICLE 9.

If a subject of the Sultan of Maskat owes a debt to a Frenchman, the Sultan or his deputies shall urge the former to pay the claim of the latter. In like manner, the French Consul shall enjoin a Frenchman to pay a debt due by him to a subject of the Sultan of Maskat.

ARTICLE 10.

No duty exceeding five per cent. shall be levied on goods imported by French vessels into the dominions of Syud Sueed bin Sultan, the Sultan of Maskat. If a vessel of other nations imports any goods into the territories of the Sultan of Maskat, and pays less duty than five per cent., the same duty only shall be levied on similar goods imported by a French vessel into the said territories. A French vessel after she has paid the duty of five per cent., shall not be subject to any other charges, such as anchorage, pilotages, etc., nor shall any charge be made on that part of the cargo which may remain on board a French vessel; but if the vessel shall go to another part of the dominions of the Sultan of Maskat, duty shall be levied at five per cent. The above-mentioned duty having once been paid, the goods may be sold, by wholesale or retail, without paying any further duty. No charge whatever shall be made on French vessels which may enter any of the ports of the Sultan of Maskat for the purpose of refitting, or for refreshments, or to inquire about the state of the market; and they shall enjoy the same privileges which are enjoyed (by the vessels) of the most favoured nations.

ARTICLE 11.

No vessel shall be prohibited from importing into, or exporting from, the territories of the Sultan of Maskat any kind of merchandize. The trade shall be perfectly free in the said territories, subject to the above-mentioned duty and to no other. The French shall be at liberty to buy and sell from whomsoever and to whomsoever they choose; but they shall not trade in the articles of ivory and gum copal on that part of the East Coast of Africa from the port of Tongate, situated in 5½ degrees of south latitude, to the port of Culva, lying in nine degrees south of the equator, both ports inclusive. But if the English or Americans, or any other Christian nation, should carry on this trade, the French shall, in like manner, be at liberty to do so.

ARTICLE 12.

If any disputes should arise in the dominions of the Sultan of Maskat as to the value of goods which shall be imported by French merchants, and on which the duty of five per cent. is to be levied, the Custom Master, or other person acting on the part of the Sultan of Maskat, shall, when practicable, receive one-twentieth part of the goods, and the merchant shall then be subject to no further demand on account of customs on the remaining goods in any part of the dominions of the Sultan of Maskat to which he may transport them. But if the Custom Master should object to levy the duty in the manner aforesaid, by taking one-twentieth part of the goods, or if the goods should not admit of being so divided, then the point in dispute shall be referred to two competent persons, one chosen by the Custom Master, and the other by the merchant, who shall make a valuation of the goods; and if they shall differ in opinion, they shall appoint an arbitrator, whose decision shall be final, and the duty shall be levied according to the value thus established.

ARTICLE 13.

It shall not be lawful for any French merchant to expose his goods for sale for the space of three days after the arrival of such goods, unless the Custom Master and the merchant shall have agreed as to the value of such goods. If the Custom Master shall not within three days have accepted one of the two modes proposed for ascertaining the value of the goods, the authorities on the part of the Sultan of Maskat, on an intimation being made to them on the subject, shall compel the Custom Master to choose one of the two modes for the levy of the duty.

ARTICLE 14.

If it shall happen that either the King of the French or the Sultan of Maskat should be at war with another country, the subjects of the King of the French and the subjects of the Sultan of Maskat shall nevertheless be allowed to trade with, and to take to, such country, merchandize of every

description, except warlike stores, but they shall not be allowed to enter any port or place actually blockaded or besieged.

ARTICLE 15.

Should a vessel under the French flag enter a port in the dominions of the Sultan of Maskat in distress, the local authorities at such port shall afford all necessary aid to enable the vessel to refit and to prosecute her voyage; and if any such vessel should be wrecked on the coasts of the dominions of the Sultan of Maskat, the authorities on the part of the Sultan of Maskat shall render all the assistance in their power to recover and deliver over to the owner, or the Consul, the property that may be saved from such wreck. The same assistance and protection shall be afforded to vessels of the dominions of the Sultan of Maskat, and property saved therefrom under similar circumstances, in the ports and on the coasts of the French dominions.

ARTICLE 16.

If any person not belonging to the Christain nations shall steal any article from a French vessel, and take it to the dominions of the Sultan of Maskat, it shall be recovered from the robber and delivered over to the Consul.

ARTICLE 17.

The French shall be at liberty to hire or erect houses and warehouses at Zanzibar or anywhere else.

ARTICLE 18.

Any engagements which may have been entered into previously to this are null and void, and are not to be acted upon or attended to.

ARTICLE 19.

The present convention shall be ratified, and the ratifications thereof shall be exchanged, at Maskat or Zanzibar, as soon as possible, and within the space of fifteen months from the date hereof.

Dated the 6th Zilkad, Hijree 1260 (corresponding with the 17th November 1844 A. D.)

(True translation.)

(Sd.) W. ESCOMBE,

Secy. to Govt.

MEMORANDUM.

On the 4th February 1846, the ratifications of the foregoing Treaty were exchanged between His Highness the Imam of Maskat and Commodore Monsieur Romain Desfossés, on the part of the King of the French. Previous to the exchange of the ratifications, His Highness requested from Commodore Monsieur Desfossés * an explanation of the precise meaning of Article XVII of the Treaty, who replied that the said Article was considered as having reference to matters simply and purely of a commercial nature. The exchange of ratifications then took place, His Highness the Imam previously affixing thereto the following declaration:—

* *Vide* letter from Captain Hamerton to the Bombay Government, dated the 13th February 1846.

Declaration written by His Highness the Imam on the foregoing Treaty.

That is correct, that whatsoever is written in Arabic letters (in the Arabic language) in the agreement is binding on us.

The writing of the humble Fukeer with his own hand.

(Sd.) SYUD BIN SULTAN.

(True translation.)

(Sd.) ATKINSON HAMERTON.

APPENDIX No. VIII.—*Page 232.*

TREATY OF AMITY, COMMERCE, and NAVIGATION between the SENATES of the HANSEATIC REPUBLICS of LUBECK, BREMEN, and HAMBURG and HIS HIGHNESS SYUD MAJID BIN SYUD, SULTAN of ZANZIBAR, concluded at Zanzibar, the 13th of June 1859.

His Highness Syud Majid bin Syud, Sultan of Zanzibar and his dependencies, having in consideration of the extensive and fast increasing trade and navigation between the Hanseatic Republics of Lubeck, Bremen, and Hamburg and his own dominions, most graciously accepted the proposals of the Senates of the said Republics for negotiating a Treaty of Amity, Commerce, and Navigation for the support of mutual welfare and mutual commercial interest, the Senates of the Hanseatic Republics of Lubeck, Bremen, and Hamburg have accordingly appointed as their Plenipotentiary William Henry O'Swald, Junior, Esquire, a citizen of the Hanseatic Republic of Hamburg, and actually residing in the city of Zanzibar, Island of Zanzibar; and the Sultan of Zanzibar, Syud Majid bin Syud, has resolved personally to carry on negotiations with the said Plenipotentiary, the plenipotentiary of the above-mentioned Hanseatic Republics having represented to His Highness the Sultan of Zanzibar that he is vested with the

requisite powers, the following Treaty has been concluded with the consent of both the high contracting parties :—

ARTICLE 1.

There shall be perpetual peace and amity between the Hanseatic Republics of Lubeck, Bremen, and Hamburg and His Highness Syud Majid bin Syud Sultan of Zanzibar.

ARTICLE 2.

The citizens of the Hanseatic Republics of Lubeck, Bremen, and Hamburg shall have the liberty to enter all the ports of His Highness Syud Majid bin Syud, Sultan of Zanzibar, with their cargoes, of whatever kind the said cargoes may consist, and they shall have liberty to sell the same to any of the subjects of the Sultan, or others who may wish to buy the same, or to barter the same for any produce or manufactures of the kingdom, or other articles that may be found there. No price shall be fixed by His Highness the Sultan or his officers on the articles to be sold by the merchants of the before-mentioned Hanseatic Republics, or the merchandize they may wish to purchase, but the trade shall be free on both sides to sell or buy or exchange on the terms, and for the prices, the owner may think fit; and whenever the said citizens of the said Hanseatic Republics may think fit to depart they shall be at liberty so to do, and if any officer of His Highness the Sultan shall contravene this Article he shall be severely punished.

ARTICLE 3.

Vessels of the Hanseatic Republics of Lubeck, Bremen, and Hamburg entering the port of Zanzibar, or any other port within His Highness the Sultan's dominions, shall pay no more than five per cent. duties on the cargo landed, and this shall be as a fully equivalent and in lieu of all other import and export duties ; tonnage dues ; licenses to trade ; pilotage ; anchorage ; or any other charges whatever.

Nor shall any duty or charge be paid on that part of the cargo which may remain on board unsold and re-exported. Nor shall any charge whatever be paid on any vessel of the Hanseatic Republics, which may enter any of the ports of His Highness the Sultan's dominions, for the purpose of refitting, or for refreshments or to enquire the state of the market.

And it is also well understood and agreed upon as follows :—Should any vessel of the Hanseatic Republics of Lubeck, Bremen, and Hamburg, whether she has been loaded before in Zanzibar or in any other port within His Highness the Sultan's dominions, or in any foreign port, be obliged to return to, or enter any port within His Highness the Sultan's dominions, for the purpose of repairing the ship's damages, sustained at sea by stress of weather or by some other accident of the seas, and thereby be obliged to unload her cargo, such vessels shall be permitted to land her said cargo free of duty, and shall pay no duty whatever on such cargo landed, provided it

be re-shipped either on board the said vessel or on board any other vessel should the sea-damaged vessel be condemned.

ARTICLE 4.

His Highness the Sultan of Zanzibar hereby engages not to permit the establishment of any monopoly or exclusive privilege of sale within his dominions; except in the articles of ivory and gum copal, in that part of the East Coast of Africa, from the port of Tangate, situated in about 5½ degrees of South Latitude to the port of Quali lying in about seven degrees south of the Equator, both ports inclusive; but in all other ports and places in His Highness the Sultan's dominions, there shall be no monopoly whatever; but the citizens of the Hanseatic Republics of Lubeck, Bremen, and Hamburg shall be at liberty to buy and sell with perfect freedom, from whomsoever and to whomsoever they chose, subject to no other duty by Government than that before mentioned.

ARTICLE 5.

The citizens of the Hanseatic Republics of Lubeck, Bremen, and Hamburg shall enjoy all the privileges and advantages with respect to commerce or otherwise, which are or may be accorded to the subjects or citizens of the most favoured nation, and particularly pay no other duties on export or import; tonnage; license to trade; or any other charge whatsoever than the nation the most favoured shall pay.

ARTICLE 6.

Should a vessel of the Hanseatic Republics of Lubeck, Bremen and Hamburg enter a port in the dominions of His Highness the Sultan of Zanzibar in distress the local authorities at such port shall afford all necessary aid to enable the vessel to refit and to prosecute her voyage, and if any such vessel should be wrecked on the coast of the dominions of His Highness the Sultan of Zanzibar, the authorities of His Highness shall give all the assistance in their power to recover and to deliver over to the owners all the property that can be saved from such vessel, or to the Consul of the before-mentioned Hanseatic Republics or to any authorised Agent. The same assistance and protection shall be afforded to vessels of the dominions of His Highness the Sultan of Zanzibar, and property saved therefrom under similar circumstances in the ports and on the coast of the Hanseatic Republics of Lubeck, Bremen, and Hamburg.

ARTICLE 7.

The citizens of the Hanseatic Republics of Lubeck, Bremen, and Hamburg resorting to the ports of His Highness the Sultan's dominions for the purpose of trade shall have leave to land and reside in the said ports, as well as to purchase, sell, or hire, land or houses there. The houses, warehouses, or other premises occupied by the citizens of the three

Hanseatic Republics, or by persons in their service, shall not be forcibly entered without the permission of the Consul of the Hanseatic Republics.

ARTICLE 8.

If any citizen of the Hanseatic Republics of Lubeck, Bremen, or Hamburg, or their vessels, or other property, shall be taken by pirates and brought within the dominions of His Highness the Sultan, the persons shall be set at liberty, and property restored to the owner, if he is present, or to the Consul of the before-mentioned Hanseatic Republics or to any authorized Agent.

ARTICLE 9.

Vessels belonging to His Highness the Sultan of Zanzibar, or vessels belonging to his subjects, which may resort to any port of the Hanseatic Republics of Lubeck, Bremen, or Hamburg, shall pay no other higher rate of duties or other charges than the nation the most favoured shall pay. The subjects of His Highness the Sultan shall be permitted to reside and pursue commerce in all ports of the Hanseatic Republics of Lubeck, Bremen, and Hamburg, submitting themselves to the laws of the country. They shall enjoy the fullest protection for their persons and for their property.

ARTICLE 10.

The Senates of the Republics of Lubeck, Bremen, and Hamburg may appoint Consuls to reside in the ports of His Highness the Sultan's dominions, where the principal commerce shall be carried on. The said Consuls shall at all times be placed on the footing of the Consuls of the most favoured nations, and shall enjoy the same privileges, immunities, and exemptions which are enjoyed within the same dominions by similar public functionaries of other countries.

ARTICLE 11.

The Consuls of the Hanseatic Republics of Lubeck, Bremen, and Hamburg shall have the power to receive the property of the citizens of the three Hanseatic Republics dying within the dominions of His Highness the Sultan; and to send the same to their heirs, first paying all their debts due to the subjects of His Highness the Sultan.

ARTICLE 12.

The authorities of His Highness the Sultan of Zanzibar shall not interfere in disputes between citizens of the Hanseatic Republics of Lubeck, Bremen, and Hamburg, or between the said citizens and the subjects or citizens of other Christian nations. When differences arise between a subject of the dominions of His Highness the Sultan of Zanzibar and a citizen of the above-mentioned Hanseatic Republics, if the former is the complainant, the cause shall be heard by the Consul of the three Hanseatic Republics, who shall administer justice thereupon; but if the citizen of

the three Hanseatic Republics is the complainant against any of the subjects of His Highness the Sultan of Zanzibar, or the subjects of any other Mahomedan power, the cause shall be decided by the highest authority of His Highness the Sultan of Zanzibar or by any person nominated by him; but in such case the cause shall not be proceeded with except in the presence of the Consul of the Hanseatic Republics of Lubeck, Bremen, and Hamburg, or of some person deputed by him.

ARTICLE 13.

If a citizen of the Republics of Lubeck, Bremen, and Hamburg shall become bankrupt in the dominions of His Highness the Sultan of Zanzibar, the Consul of the three Hanseatic Republics shall take possession of all the property of such bankrupt, and shall give it up to his creditors to be divided among them. This having been done, the bankrupt shall be entitled to a full discharge from his creditors, and he shall not at any time afterwards be required to make up his deficiency, nor shall any property he may afterwards acquire be considered liable for that purpose. But the Consul of the Hanseatic Republics of Lubeck, Bremen, and Hamburg shall use his best endeavours to obtain for the benefit of the creditors all the property of the bankrupt at the time when he became insolvent has been given up without reserve.

ARTICLE 14.

If a subject of His Highness the Sultan of Zanzibar should resist or evade payment of his just debts to a citizen of the Hanseatic Republics of Lubeck, Bremen, and Hamburg, the authorities of His Highness shall afford to the citizen of the Hanseatic Republics every aid and facility in recovering the amount due; and in like manner the Consul of the three Hanseatic Republics shall afford every aid and facility to subjects of His Highness the Sultan of Zanzibar, in recovering debts justly due to them from a citizen of the Hanseatic Republics of Lubeck, Bremen, and Hamburg.

ARTICLE 15.

His Highness the Sultan of Zanzibar shall be at liberty to appoint Consuls in the cities and ports of the Hanseatic Republics of Lubeck, Bremen, and Hamburg, for the protection of his own interests, or those of his subjects; and such Consul shall enjoy the same rights, liberties, and privileges, which the Consul of the most favored nation shall enjoy.

ARTICLE 16.

The present convention shall be ratified and the ratifications thereof shall be exchanged at Zanzibar as soon as possible.

Concluded, signed, and sealed, at the Royal Palace of His Highness the Sultan of Zanzibar, in the city of Zanzibar, Island of Zanzibar, the thirteenth day of June, in the year one thousand eight hundred and fifty-nine of the

Christian era, corresponding to the eleventh day of the moon called Zilkad, in the year of the Alhajra (Hejira), one thousand two hundred and seventy-five.

For the senates of the Hanseatic Republics of Lubeck, Bremen, and Hamburg.

(Sd.) W. H. O'SWALD, *Jr.*

Signed in the Arabic language,

MAJID BIN SYUD.

The Seal of the Sultan Majid bin Syud, Sultan of Zanzibar.

True Copy of the Original.
Treaty in the English language.

(Sd.) C. P. RIGBY, *Captain,*
Her Majesty's Consul and British Agent, Zanzibar.

British Consulate, Zanzibar,
June 14th, 1859.

Translation of the Sign Manual, and seal of His Highness Majid bin Syud, Sultan of Zanzibar, as affixed to the original Treaty.

(Sd.) C. P. RIGBY, *Captain,*
Her Majesty's Consul and British Agent, Zanzibar.

True copies.

H. P. ANDERSON,
Secretary to Government.

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